

This report is public	
Monitoring Officer's Annual Report 2025/26 – Complaints, Conduct & Ethics	
Committee	Audit and Governance Committee
Date of Committee	29 September 2026
Portfolio Holder presenting the report	Portfolio Holder for Law and Governance, Councillor Frank Ideh
Date Portfolio Holder agreed report	20 September 2026
Report of	Assistant Director Law and Governance and Monitoring Officer, Shiraz Sheikh

Purpose of report

To provide the Committee an annual report on matters relating to standards and conduct of Members within the Cherwell District at District and Parish level, complaints made to the Local Government Ombudsman and other matters for the municipal year of 2025/2026.

1. Recommendations

The Audit and Governance Committee resolves:

- 1.1 To note the content of the report.

2. Executive Summary

- 2.1 The report is the annual report from the Monitoring Officer to this Committee in relation to standards and conduct of members within the district.
- 2.2 The Key findings identified in the report are:
 - a) standards of ethical conduct across the district remain good.
 - b) the number of gifts and hospitality declared by officers and members are very low and there needs to be periodic reminders to both officers and members on this.
- 2.3 The report also includes the Annual Review Report from the Local Government and Social Care Ombudsman (LGSCO). The LGSCO reports the decisions that they have made on complaints received to them from April to March. The report is attached at Appendix 1.

Implications & Impact Assessments

Implications	Commentary
Finance	There are no financial implications arising from this report however, costs associated with external investigations may lead to a budget pressure. Rachel Ainsworth, Finance Business Partner, 1/9/26

Legal	There are no legal issues arising from this report. Matters covered in the report regarding code of conduct complaints are general requirements in the Localism Act 2011 and its supporting regulations. Shiraz Sheikh, Assistant Director Law and Governance and Monitoring Officer			
Risk Management	Having good practice and following procedures means that the Council's credibility stays good and ethical behaviour is well managed. Adherence to the requirements of the Code of Conduct mitigate the risks of the descent of standards and the Council's decisions being subject to legal challenge. Celia Prado-Teeling, Performance Team Leader 01/09/26			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact	Not applicable			
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
Climate & Environmental Impact		x		
ICT & Digital Impact		x		
Data Impact		x		
Procurement & subsidy		x		
Council Priorities	Not applicable			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	None			

Supporting Information

3. Background

- 3.1 Under the Localism Act 2011, Councils have the responsibility of regulation of the standards of conduct of elected and co-opted members of Councils and, in the case of district councils, Town and Parish Councils in their district. To demonstrate how the Council is regulating conduct, an annual report will be produced by the Monitoring Officer and presented to the Audit and Governance Committee to inform Members of the activity taking place around the code of conduct and other functions of the Monitoring Officer.

4. Details

The Monitoring Officer

- 4.1 The Council has a statutory duty to appoint a Monitoring Officer under Section 5 of the Local Government and Housing Act 1989 as one of its designated officers. The Council's Monitoring Officer is Shiraz Sheikh. The Monitoring Officer has appointed two deputies. Denzil Turbervill (internal) and Shahin Ismail (external) act when the Monitoring Officer is on leave. The functions and duties of the Monitoring Officer are set out in legislation. These include promoting and maintaining standards of conduct of elected and co-opted members. The Monitoring Officer also has a statutory responsibility to establish and maintain a register of interests for members and co-opted members of the authority as well as Town and Parish Councils in the district.

Following an amendment to insert a new section 32A into the Localism Act, residential addresses of members must be withheld from public registers unless a member specifically requests publication. Authorities must retain address details for monitoring and conflict of interest purposes. This came into effect on 29 June 2026.

The Standards Committee

- 4.2 At the meeting of full Council on 16 March, as part of a constitution review, the Standards Committee was removed from the committee structure and replaced with a Standards Hearing Sub-Committee within the Audit and Governance Committee. Terms of reference is to be agreed in due course.
- 4.3 The Committee approves and administers the arrangements under which allegations of breach of the code of conduct for members and co-opted members can be investigated and decisions on such allegations can be made. The arrangements set out the process for dealing with complaints of alleged breach of the adopted Code of Conduct by Members at District and Parish level. The Standards Committee did not have to convene in the municipal year of 2025/26 to consider any formal investigations for breaches of the Code of conduct.
- 4.4 Independent Persons, appointed by Council, have standing invitations to attend Standards Committee meetings. They have an advisory role and have no voting

rights. Independent Persons also play a key role during the process of dealing with complaint of alleged breaches. The Independent Person is consulted by the Monitoring Officer during the procedure of complaints as a second opinion regarding complaints.

- 4.5 In June 2025, the Council undertook the recruitment for Independent Persons (IP's) to Standards Committee due to the current terms of the Independent Persons appointed expiring in December 2025. Two Independent Persons were appointed following the recruitment process. The Two Independent Persons are Tom Edwards and Terry Williams. The IPs are consulted on allegations of breaches of the Code of Conduct, at an Initial Assessment stage. The IPs have provided high quality and invaluable input in the last year in this respect.

Local Assessment of Complaints against Councillors

- 4.6 Under Section 28 of the Localism Act 2011, Council's must have in place arrangements to deal with allegations that an elected or co-opted member of the authority or of a town or parish council within the principal authority's area has failed to comply with the authority's Code of Conduct. The arrangements must set out how allegations are considered and decisions made.
- 4.7 The arrangements for Cherwell District Council were last reviewed in late 2023 and following consideration of the Standards Committee on 31 January 2024, the arrangements were agreed by Council at the 26 February meeting. These arrangements are included in the Council's constitution under part 11a. With an amendment to the Constitution that the Standards Committee has been abolished and now sits as a Standards Hearing sub-committee, the arrangements will need to be amended to reflect the terms of reference that are to be agreed.
- 4.8 The Members' Code of Conduct governs the standards of conduct expected of elected Councillors and this is part 11 of the Council's constitution. Training on the Code of Conduct is provided to Members at the start of the municipal year and is available on the Members' Teams channel.
- 4.9 Town and Parish Council's must have an adopted Code of Conduct. Many Parish Council's in the Cherwell District have adopted the Oxfordshire Councils' model Code of Conduct 2022. This code was drafted by the Monitoring Officers of the principal authorities in Oxfordshire in 2022. It was adopted at the Annual Council meeting on 18 May 2022 as the Code of Conduct for Cherwell District Council Member.
- 4.10 In 2024/25 municipal year, 12 complaints of alleged breach of Code of Conduct were received by the Monitoring Officer. ten complaints were made against Councillors at Town/Parish Council's and two complaints were made against Councillors of Cherwell District Council. These complaints were assessed at the Initial Assessment stage in accordance with the Council's adopted arrangements.

Type of Council	Number of complainants	Number of complaints no breach of the code found so no further action	Number of complaints informal resolution suggested	Number of complaints not proceeded with/withdrawn

District	8	8	0	2
Town/Parish	5	5	0	0
TOTAL	13	13	0	2

- 4.11 In comparison to the previous years, see table below. The number of complaints at District level has increased. This is due to a number of complaints regarding the conduct of members at a specific planning committee meeting. None of these complaints progressed beyond the Initial Assessment process.

Comparison on the number of District and Town/Parish Council complaints received 2020/21 – 2025/26

Type of Council	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
District	0	3	5	6	2	8
Town/Parish	2	3	4	20	10	5

Points arising from complaints received

- 4.12 11 complaints were considered to have no further action taken. A trend in complaints received were in relation to posts or comments on social media by Members. A learning point for Members is to consider the language they use whilst using social media and to consider how posts/comments can be received by members of the public.

Comparison on action taken on complaints received 2020/21 – 2025/2026

Action	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Withdrawn/not progressed with	0	3	3	4	2	2
No further action	3	3	5	20	9	11
Informal resolution	0	0	1	2	1	0
Councillor had resigned before assessment so no further action						
Investigation	0	0	0	0	0	0

Register of Interests

- 4.13 Following scheduled elections, all elected Members of Cherwell District Council and Members of Parish Councils are required to complete and submit their Register of Interests form within 28 days of taking up office. These have been received for the May 2026 District elections and are published on the Council's website.
- 4.14 District Councillors are reminded to review their interests on a regular basis and to notify the Democratic Services Manager of any amendments.

- 4.15 Town and Parish Councillors are reminded via their Clerks to advise the Monitoring Officer of updates to their Register of Interest forms in order that compliance with the Localism Act 2011 is maintained. Clerks also ensure that councillors elected or co-opted outside of the scheduled election cycle complete and return to the Monitoring Officer's Register of Interest form within 28 days' of taking up office.

Gifts and Hospitality

- 4.16 The Gifts and Hospitality Protocol is incorporated into the Members Code of Conduct and is set out in Part 11 of the Constitution (Code of Conduct).
- 4.17 The Code states that a Councillor must register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt and register with the Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept.
- 4.18 In the municipal year 2024/25, two declarations of gifts or hospitality by Members were received by the Monitoring Officer. Members have been reminded of the need to declare any gifts or hospitality received in accordance with the adopted Code of Conduct.
- 4.19 Officers are also subject restrictions on those Gifts and Hospitality that are deemed to be acceptable under the revised employee Code of Conduct Policy effective 1 February 2023 following approval by the Personnel Committee on 31 January 2023. In the municipal year 2024/25, the Monitoring Officer received two declarations of gifts and hospitality by Officers.
- 4.20 The employee Code of Conduct, as well as the Council's anti-bribery policy, sets out that it is a criminal offence to offer, give, receive, or solicit something of value for the purpose of influencing the action of an official in the discharge of their public or legal duties.
- 4.21 The intention of the policy relating to gifts and hospitality is to ensure that the Council can demonstrate that no undue influence has been applied or could be said to have been applied by any resident, service user, supplier or anyone else dealing with the Council and its stewardship of public funds.

Local Government and Social Care Ombudsman (LGSCO) Complaints

- 4.22 The Monitoring Officer is responsible for the administration of complaints made to the Local Government and Social Care Ombudsman.
- 4.23 The LGSCO is the final stage for individual complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. They are a free service provided to people who have completed all stages of the Council's own complaints procedure and remain unhappy with the outcome. The LGSCO have guidelines regarding what they can investigate. Complainants must have complained to the Council within 12 months of becoming aware of the matter and been directly affected by the matter resulting in 'personal injustice'. Not all complaints will be investigated, for example if the Ombudsman does not feel they will find fault regarding the Council. Further information is available at: lgo.org.uk

- 4.24 Each year, the LGSCO issues an Annual Review Report about each Council. This report attached at Appendix 1 details the complaints that were considered by the Ombudsman up to 31 March 2026. The website page outlining the complaints made to the LGSCO can be found [here](#).
- 4.25 For the period 1 April 2025 to 31 March 2026, 22 complaints and enquires against Cherwell District Council were submitted to the LGSCO, the compares to 7 for the period 1 April 2024 to 31 March 2025 and 10 for the period 1 April 2023 and 31 March 2024.
- 4.26 The number of complaints received by service area as categorised by the LGSCO for the period 1 April 2024 to 31 March 2025 are as follows:

By LGSCO Category	Number of complaints received by the LGSCO
Benefits & Tax	10
Planning & Development	5
Highways & Transport	2
Housing	2
Environmental Services & Public Protection & Regulation	2
Other	1
TOTAL	22

- 4.27 The LGSCO returned decisions on 10 complaints against Cherwell District Council for the period 1 April 2024 to 31 March 2025. It should be noted that decisions may relate to complaints made in the previous year 2023-2024, investigations may not have been completed on all complaints received during the 2024-2025 period therefore a decision would not have yet been received. The number of complaints received, and decisions made in the one-year period will not always correspond.
- 4.28 The complaint decisions received against Cherwell District Council were categorised by the LGSCO as follows:

By LGSCO Category	Number of complaint decisions by LGSCO
Upheld	1
Referred to the Council for resolution	3
Incomplete/invalid	2
Closed after initial inquires	5

- 4.29 The complaint that was upheld was categorised by the LGSCO as Council Tax. The LGSCO summarised that the Council admitted that there had been fault by issuing an incorrect council tax bill however the LGSCO advised that the Council had taken satisfactory action to remedy the fault, so no further action was taken.
- 4.30 As detailed in sections 4.25 and 4.26, the LGSCO received 22 complaints and enquiries against Cherwell District Council during 2025-2026. For information and comparison, the table below sets out the number of complaints and enquiries received by the LGSCO in the four preceding years.

LGSCO Category	2025/26	2024/25	2023/24	2022/23	2021/22
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Planning and Development	5	4	5	2	8
Corporate Complaints (i.e. non-social care)	0	0	0	1	1
Environment Services & Public Protection & Regulation	2	1	3	2	2
Benefits & Tax	10	1	1	7	2
Highways & Transport	2	1	0	0	0
Housing	2	0	1	1	3
Other	1	0	0	0	0

- 4.31 For information, the following table sets out comparative data on the number of decisions in the preceding years.

LGSCO Decision	2025/2026	2024/25	2023/24	2022/23	2021/22
Complaints upheld	1	1	1	1	0
Complaints not upheld	1		0	1	1
Referred to the Council for resolution	0	2	3	4	4
Closed after initial Enquiries	10	5	5	7	9
Incomplete/Invalid	3	2	1	0	1
Total decisions	15	10	10	13	15

(* LGSCO stopped investigating existing cases between March and June 2020)

Information Governance

- 4.32 The Assistant Director of Law and Governance is responsible for the administration of information governance that includes the processing of freedom on information requests, subject access requests and handling of data breach incidents.
- 4.33 For the period of 1 April 2025 to 31 March 2026, 949 Freedom of Information / Environmental Information Regulation requests were received with 622 (65%) were responded to within the 20-day deadline.
- 4.34 33 subject access requests were received in the period of 1 April 2025 to 31 March 2026 and 18 (55%) of these requests were responded to within the 30 calendar day deadline.
- 4.35 The number of data breach incidents for the period of 1 April 2025 to 31 March 2026 are as follows:

Number of data breach incidents	97
Number reported to ICO	1
Internal reviews received	26
Information Commissioners Office appeals received	7

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to note the report and not to produce a report. There is no duty to produce this report however this report provides transparency regarding the functions of the Monitoring Officer.

6 Conclusion and Reasons for Recommendations

- 6.1 This report provides the Committee with information and relevant updates from the Monitoring Officer, including the Members Code of Conduct. It is imperative that members and officers set the ethical tone within the Council and model the behaviours that they expect of themselves and others.
- 6.2 Whilst there has been a higher number of complaints made against Members alleging a breach of the adopted code of conduct, less than a fifth were assessed to find a breach and this demonstrates that the standard of conduct is very good in the district.
- 6.3 The report also provides Members with information with regard to the number of complaints received by the Local Government and Social Care Ombudsman against the Council and the decisions regarding complaints.

Decision Information

Key Decision	No
Subject to Call in	No
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Local Government and Social Care Ombudsman Annual Report letter 2025/2026
Background Papers	None
Reference Papers	None
Report Author	Matthew Swinford, Democratic and Elections Officer

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Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Report of the Monitoring Officer