

To: Standards Committee

Date: 13 November 2025

Report of: Director of Law, Governance and Strategy (Monitoring Officer)

Title of Report: Code of Conduct: summary of complaints and individual dispensations – 20 June 2025 to 31 October 2025

Summary and recommendations	
Decision being taken:	<p>To advise the Committee of:</p> <p>The number and status of complaints received under the Members' Code of Conduct which have been, or are to be, considered by the Director of Law, Governance and Strategy (in her statutory capacity as the authority's Monitoring Officer) in consultation with one of the Council's Independent Persons.</p> <p>The number of dispensations to an individual member, granted under Section 33 of the 2011 Localism Act, by the Monitoring Officer, following consultation with an Independent Person.</p> <p>Update on the action taken in relation to the complaint which was upheld against Cllr Henwood by a Local Hearing Panel on the 27 August 2025.</p>
Key decision:	No
Cabinet Member:	N/A
Corporate Priority:	A Well Run Council.
Policy Framework:	None

Recommendation(s): That the **Standards Committee** resolves to:

1. **Note** the contents of the report
2. **Note and provide comment** on the apologies issued by Councillor Henwood and **confirmation** as to whether these are satisfactory to the Committee.

Information Exempt From Publication	
N/A	N/A

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	Apology to the Standards Committee	No
Appendix 2	Apology from Cllr David Henwood to Cllr Trish Elphinstone	No
Appendix 3	Reprimand from the Monitoring Officer (interim) to Cllr Henwood	Yes
Appendix 4	Decision notice of the Hearing Panel of the 27 August 2025 regarding Cllr Henwood	No
Appendix 5	Decision notice of the Hearing Panel of the 12 May 2025 regarding Cllr Malik	No
Appendix 6	Decision notice of the Hearing Panel of the 19 June 2025 regarding Cllr Latif	No

Introduction and background

1. In compliance with legislation relating to the standards and conduct of elected councillors, the Council has in place complaints handling arrangements to enable an individual to make a formal complaint that an elected or co-opted member of the Council, or of a parish council within the Council's area, has failed to comply with the authority's Members' Code of Conduct.
2. The Standards Committee is responsible for promoting high standards of ethical behaviour by developing, maintaining and monitoring the Members' Code of Conduct. This report from the Monitoring Officer, which identifies any issues or learning points arising from the complaints received, contributes to that monitoring process.
3. The key stages of the complaints handling arrangements can be summarised as:

Initial tests	The Monitoring Officer will apply the following "initial tests" to the complaint:
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	<ul style="list-style-type: none"> • It is a complaint against one or more named councillors of Oxford City Council or a parish council within the city boundaries; • The named councillor was in office at the time of the alleged conduct and the Code of Conduct was in force at the time; • The complaint, if proven, would be a breach of the Code under which the councillor was operating at the time of the alleged misconduct.
Assessment	<p>The complaint will be assessed and a decision made by the Council's Monitoring Officer in consultation with an Independent Person as to the next steps. At this stage the options open to the Monitoring Officer are:</p> <ul style="list-style-type: none"> • No further action • Informal resolution brokered by the Monitoring Officer and/or Group Leader • Referral for investigation • Referral to the police or other regulatory agency
Investigation	<p>A formal investigation may be conducted by an officer from Oxford City Council, an officer from another local authority or an independent investigator.</p> <p>The investigating officer will review the complaint and supporting evidence and may interview some or all of the people concerned.</p> <p>The investigating officer will then produce a draft report. The complainant and the councillor concerned will normally have an opportunity to comment on the draft report. The investigating officer will then submit the report to the Monitoring Officer.</p>
Action to be taken	<p>The Monitoring Officer will consider the findings of the investigation and, in consultation with the Independent Person(s), determine what action to take. At this stage the options open to the Monitoring Officer are:</p> <ul style="list-style-type: none"> • Local Hearing – complaint to be determined by the Standards Committee;

	<ul style="list-style-type: none"> • Local Resolution - a fair resolution of the complaint which is acceptable to all parties brokered by the Monitoring Officer; or • No action - complaint dismissed
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Complaints made against members of Oxford City Council or a Parish Council

4. In the period 1 July 2023 up to and including 20 June 2025 the Monitoring Officer dealt with the following eleven complaints comprising of nine separate complaints for city councillors and two complaints for parish councillors.
5. The Monitoring Officer, in consultation with the Independent Person(s), where appropriate, considered the complaints contained in the table above and made the following decisions:

Ref	Received	City/Parish	Code – alleged breach in behaviour	Action taken	
				Complaint heard at:	Outcome:
1	April 2024	City	<ul style="list-style-type: none"> • Respect • Bullying and Harassment • Impartiality of Officers of the Council • Disrepute 	Local Hearing Panel	Concluded
2	April 2024	City	<ul style="list-style-type: none"> • Respect • Bullying and Harassment • Impartiality of Officers of the Council • Disrepute 	Local Hearing Panel	Concluded
3	September 2024	City	<ul style="list-style-type: none"> • Respect for others • Bullying 	Local Hearing Panel	Concluded
4	September 2024	City	<ul style="list-style-type: none"> • Honesty and Integrity • Bullying 	Monitoring Officer	Concluded
5	January 2025	Parish Council	<ul style="list-style-type: none"> • Objectivity • Accountability • Openness • Honesty and Integrity • Respect for others • Bullying • Impartiality 	Monitoring Officer	Ongoing
6	March 2025	City	<ul style="list-style-type: none"> • Leadership • Respect of others 	Monitoring Officer, in	Ongoing

				consultation with the Independent Person	
7	May 2025	City	<ul style="list-style-type: none"> • Accountability • Honesty and Integrity • Council Resources 	Monitoring Officer, in consultation with the Independent Person	Ongoing
8	May 2025	City	<ul style="list-style-type: none"> • Honesty and Integrity • Respect for others • Bullying • Confidential Information 	Monitoring Officer, in consultation with the Independent Person	Ongoing

Summary of complaints and learning points

- The first and second complaints concerned an allegation that two Oxford City Council Councillors disrupted the proceedings of a meeting in March 2024. The Deputy Monitoring Officer and the Independent Person agreed these complaints should be investigated and an investigation was conducted by an external lawyer. The decision whether the matter should be dealt with by local resolution or local panel hearing was made by the Standards Committee on 24 February 2025, and the committee decided to proceed to a Local Hearing Panel on 12 May 2025 and 19 June 2025 respectively. The resolution of the Local Hearing Panels will be presented at full Council on 24 November 2025 and the decision notices from the hearings are attached as appendices 5 and 6.
- The third complaint concerned an allegation that an Oxford City Councillor had made post on the social media platform X, that was unbecoming of a member of Oxford City Council. The Monitoring Officer, following review with the Independent Person, referred the complaint to a Local Hearing Panel on 27 August 2025. The decision of the Local Hearing Panels was published in September 2025, with the apology letters from the Subject Councillor to the Standards Committee is seen at appendices 1 and 2.
- The fourth complaint concerned an allegation that an Oxford City Councillor had made post on the social media platform X, that was unbecoming of a member of Oxford City Council. The Monitoring Officer is currently reviewing the complaint with the Independent Person.
- The fifth complaint concerned an allegation that an Oxford City Councillor had made a post on the social media platform Facebook, that was unbecoming of a member of Oxford City Council. The Monitoring Officer is currently reviewing the complaint with the Independent Person.

10. The sixth complaint concerned an allegation that a Parish Councillor had interfered with the appointment of a Parish Councillor. The Monitoring Officer is currently investigating the complaint.
11. The seventh complaint concerned an allegation that an Oxford City Councillor had made posts on the social media platform BlueSky, that was unbecoming of a member of Oxford City Council. The Monitoring Officer is currently reviewing the complaint with the Independent Person.
12. The eighth complaint concerned an allegation that an Oxford City Councillor had made posts on the social media platform Facebook that was unbecoming of a member of Oxford City Council. The Monitoring Officer is currently reviewing the complaint with the Independent Person.

Dispensations granted to an individual Member

13. The Localism Act 2011 prevents members from participating in any business of the Council where they have a Disclosable Pecuniary Interest (DPI) unless they have sought a dispensation under Section 33 of the Act. Applications must be made in writing, and dispensations may be sought for a period of up to four years.
14. On 1 October 2022 Council granted a general dispensation, to remain in force for a period of 4 years (ending on 30 September 2026), to all Oxford City Council members and co-opted members, to speak and vote where they would otherwise have a DPI in the following matters:

- **Determining an allowance** (including special responsibility allowances), travelling expense, payment or indemnity given to Members
- **Housing:** where the Member (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the particular tenancy or lease of the Member (their spouse or partner);
- **Housing Benefit/Universal Credit:** where the Councillor (or spouse or partner) receives housing benefit;
- Any **Ceremonial Honours** given to Members;
- Setting the **Council Tax** or a precept under the Local Government and Finance Act 1992 (or any subsequent legislation); and
- Setting a **Local Council Tax Reduction Scheme** or Local scheme for the payment of business rates (including eligibility for rebates and reductions) for the purposes of the Local Government Finance Act 2012 (or any subsequent legislation)

15. In October 2018 Council also delegated the granting of dispensations to individual members under Section 33 of the Localism Act 2011 to the Monitoring Officer, following consultation with an Independent Person.

16. In the period covered by this report there have been no requests for an individual dispensation under Section 33 of the Localism Act 2011.

Outcome of the complaint against Cllr Henwood:

17. On the 27 August 2025 a Hearing Panel considered a complaint against Cllr Henwood concerning behaviour on social media towards former county councillor Trish Elphinstone. The Panel determined that Cllr Henwood had breached the Code of Conduct and resolved as follows:

1. That Councillor Henwood has breached the Code of Conduct:

- That Councillor Henwood had acted as a councillor when posting on social media and that a reasonable person may not have interpreted the views he expressed as personal.
- That the language used, repetition, and singling out of a person exhibited in the social media posts combined with the unproven and potentially false or misleading nature of some of the statements, constituted harassment and bullying.
- That Councillor Henwood had brought the Council's standards process into disrepute and had risked its confidentiality and politicising it.
- That Councillor Henwood had therefore breached sections 6.1, 6.2 and 6.5 of the Code of Conduct in relation to bullying and harassment, respect, and bringing the Council into disrepute.

2. That the following sanctions be imposed on Councillor Henwood as a result:

- Councillor Henwood provide full and appropriate written public apologies to the complainant and to the Standards Committee. It was suggested that these be both be provided within 14 days (10 working days). Councillor Henwood was asked to copy these to the Monitoring Officer and notified that the apology to the Standards Committee would be added as an item to the agenda of the next meeting of the Committee.
- Councillor Henwood be issued a reprimand by the Monitoring Officer in private, and this be made public should Councillor Henwood fail to provide written apologies, or they fall short of the requested criteria.

18. Councillor Henwood provided the apologies to the Monitoring Officer (Appendix 1 and 2) in advance of the Decision Notice being drafted and approved.

19. Once the Notice was ready to be published and agreed by the Panel they were sent to the persons to whom they were addressed.

20. In line with the decision of the Panel the apologies are presented to the Committee for consideration.

Legal Implications

21. The Localism Act 2011 requires the Council to have a Code of Conduct which sets out the standards expected of Members whenever they act in their official capacity. The Code must also have in place a suitable procedure at a local level to investigate and determine allegations against elected members and co-opted members. The Council is also responsible for having arrangements in place to investigate and determine allegations against parish councillors.

Financial Implications

22. There is a cost to the authority when a complaint is referred for external investigation this is determined by market factors in terms of the availability of investigators identified through complaint procurement processes.

Risk Management

23. If the Council fails to adopt and maintain a Code of Conduct and process for the investigation of complaints which is fit for purpose, robust and transparent then there are risks to the Council's reputation and also to the integrity of its corporate governance and decision-making processes as it will not be compliant with legislation. Formal consideration of requests for dispensation minimises the risk of the Council not following lawful procedures in respect of members' interests.

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Background Papers:	
1	Oxford City Council Constitution Part22MembersCodeofConduct.pdf
2	Local Government Association Model Councillor Code of Conduct 2020
3	Standards - Complaints Handling Arrangements
4	Hearing Procedure.doc
5	Oxford City Council Constitution Part23Codeoncouncillorofficerrelations.pdf