Guildford Borough Council		
Report title: Annual Report of the Monitoring Officer 2024/25		
Report to: Standards Committee		
Date: 7 July 2025		
Executive Portfolio Holder: Councillor Merel Rehorst-Smith **Contact Email:** Merel.Rehorst-smith@Guildford.gov.uk		
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Wards affected: All **Ward councillors informed:** N/A		
Exempt from publication: No		
Key Decision: No	**If a Key Decision, date registered on Forward Plan:** N/A	
Report cleared for publication by:		
Finance	Falil Onikoyi	26 June 2025
Legal	Susan Sale on behalf of Claire Beesly	19 June 2025
Governance	Susan Sale on behalf of Deborah Upton	19 June 2025
HR and Equalities	Susan Sale on behalf of Claire Weavis	19 June 2025
Strategic Director	Susan Sale	19 June 2025
Democratic Services	John Armstrong	27 June 2025
Executive Portfolio Holder final consultation		

1. Executive Summary

1.1 The Annual Report of the Monitoring Officer provides information and assurance to the Standards Committee on key aspects of the Monitoring Officer's responsibilities, both statutory and organisationally and the general governance arrangements of the Council.

1.2 This report gives Members of the Standards Committee an opportunity to review and assess the effectiveness of these arrangements over the past year.

1.3 The report outlines how the Monitoring Officer discharged their statutory duties during 2024–25, in compliance with legislation and the Council's Constitution. It also highlights key issues and areas for improvement in 2025–26.

1.4 The Annual Code of Conduct Register has been redacted and is attached as Appendix 1 to this report.

2 Recommendations:

2.1 The Standards Committee is asked to review the contents of the Annual Report of the Monitoring Officer to satisfy itself that the governance arrangements within the remit of the Committee are operating effectively. The Committee is also asked to:

2.1.1 Note the decisions taken in relation to Allegations of Misconduct against Borough & Parish Councillors, under the Arrangements for dealing with Allegations of Misconduct, as set out in Appendix 1.

2.1.2 Note the details of the Joint Member Development training undertaken during 2024-25 as set out in Appendix 2.

2.1.3 Make any recommendations for improvements.

3 Reasons for recommendation:

3.1 The Standards Committee plays a central role in overseeing the Council's governance framework. The Committee's principal roles are to promote high standards of ethical conduct within the Council; to advise the Council on the adoption or revision of its Code of Conduct, and to monitor and review the Council's Constitution.

3.2 This report provides assurance to the Committee on the operation of ethical standards, member conduct, and compliance with statutory duties.

3.3 The Committee must receive an annual report from the Monitoring Officer on the local resolution of complaints, assessment of allegations and the system of registration of members interests. This report complies with that requirement.

3.4 By reviewing this report, the Committee ensures that the Council maintains high standards of conduct and continues to improve its governance and ethical culture.

3.5 Furthermore, assurances within the Annual Report are intended to inform the Committee's judgement on the arrangements which are in place to ensure the Council is a responsive, effective and efficient organisation.

4 Next steps

4.1 The Committee's comments will be taken into account and any areas requiring development will be monitored through regular updates and reported back to the Committee as appropriate.

5 Exemption from publication

5.1 No part of this report is exempt from publication. However, case files referred to in Appendix 1 are exempt under paragraphs 1 and 2 Part 1 of Schedule 12A to the Local Government Act 1972.

6 Background and Proposal

6.1 The role of the Monitoring Officer derives from the Local Government and Housing Act 1989. The Act requires local authorities to appoint a Monitoring Officer, and this is a function of Full Council.

6.2 The Constitution Part 5 - Monitoring Officer Protocol sets out how the Monitoring Officer will carry out their Functions at Guildford Borough Council.

6.3 The Monitoring Officer has a broad role in ensuring the lawfulness and fairness of Council decision making, ensuring compliance with Codes and Protocols and promoting good governance and high ethical standards. This report covers the period 2024-25.

A Summary of the Monitoring Officer's Functions include the following

The Constitution

6.4 The Monitoring office is responsible for monitoring and upholding the Constitution. During 2024/25, the Council's Constitution has continued to be reviewed to ensure it remains fit for purpose and reflects current legislation and best practices, with input from the Joint Constitutions Review Group and the former Corporate Governance and Standards Committee (now the Standards Committee). Key amendments have included the review (and in most cases alignment with Waverley) of:

- Members' Register of Gifts and Hospitality,
- Joint Officer Employment Procedure Rules,
- Council Procedure Rules,
- Financial Procedure Rules,
- Contract Procedure Rules,
- Local Choice Functions,
- Scheme of Delegation to Officers,
- Protocol on Councillor and Officer relationships,
- Scheme of Authorisations,
- Councillor Code of Conduct,

- Arrangements for dealing with complaints regarding Member conduct,
- Reviewing the terms of reference for the Corporate Governance & Standards Committee (now the Audit and Risk Committee and Standards Committee), and
- Public speaking at Planning Committee.

6.5 In 2025-26, work will continue to ensure that the Constitution remains fit for purpose and reflects current legislation and best practice.

Member Conduct

6.6 The Localism Act 2011 sets out the Council's duty to promote and maintain high standards of conduct by its councillors and any co-opted members

6.7 The Monitoring Officer is required to review all Code of Conduct Complaints received in respect of allegations concerning the conduct of borough and parish councillors.

6.8 Appendix 1 sets out the complaints relating to member conduct received between 1 April 2024 to 31 March 2025. The following themes are worth noting.

- There was an increase in the number of complaints received from 5 in 2023-24 to 9 in 2024-25. The majority of complaints related to "Failure to treat others with respect" and Bullying. To address this trend, further training on the Code of Conduct has been offered to all Councillors on 26 June 2025.

- The monitoring officer has seen an increase in the complaints arising from social media posts. In response to this, work is underway to produce and issue a social media policy for Councillors. This will also be shared with Parish Clerks.

- Where appropriate the Monitoring officer has been able to deal with complaints by way of informal resolution. This generally entailed the subject member undertaking appropriate training and issuing an apology.

6.9 This area will continue to be monitored during 2025-26.

Training and Development

6.10 The Committee has a responsibility to monitor and review the Member development programme, including training on the Members' Code of Conduct, to ensure it is comprehensive, robust and supports members to deliver their roles.

6.11 The Monitoring Officer is responsible for providing an effective, robust and ongoing programme of elected member training and development.

6.12 Appendix 2 of this report provides details of all Joint Guildford and Waverley training sessions that were delivered to Members in 2024-25.

6.13 Details of all training and development sessions undertaken by an individual Member are published on their individual Councillor webpage.

6.14 The Member training programme for 2025-26 is in development to ensure that it is comprehensive, robust and supports members to deliver their roles.

Register of Interests

6.15 The registers of interest for members and officers were maintained and regularly updated to ensure transparency and compliance with the Council's policies.

6.16 Each individual Member's Register of Interests is published online for each Borough and Parish Councillor on their respective website, other than where their interest has been deemed to be a sensitive interest by the Monitoring Officer, in accordance with the Localism Act.

6.17 For employees, their register of interests are held centrally by Human Resources.

6.18 In April 2025, the former Corporate Governance and Standards committee approved a revised procedure for Members to apply to the Monitoring Officer or this Committee for a dispensation in respect of any interests.

6.19 During 2024-25, the following dispensations were granted by the Monitoring Officer:

Date	Borough/ Parish	Dispensation Granted
05.02.25	All Guildford Councillors	Under S33 Localism Act 2011 – A General Dispensation for a period of 12 month - Decision - General Dispensation - Guildford Borough Council
19.03.25	All Guildford Councillors	Decision - Grant of General Dispensation to councillors in respect of Disclosable Pecuniary Interests under s33 Localism Act 2011 - Guildford Borough Council

Gifts and hospitality

6.20 During 2024-25, all offers and acceptances of gifts or hospitality were published online under each individual Councillors register of interests. In response to the low level of reporting, especially regarding gifts offered but not accepted, guidance on gifts and hospitality has been produced and adopted by the Council on 12 May 2025. Training in this area has been offered to all members on 26 June 2025.

6.21 This area will continue to be monitored during 2025-26.

Whistleblowing and other Complaints

6.22 The Council's whistleblowing policy was reviewed in 2024, and the Annual Whistleblowing report was presented to the Audit and Risk Committee on 11 June 2025.

6.23 During 2024-25, the Local Government and Social Care Ombudsman investigated two cases and upheld one. During the same period the Housing Ombudsman investigated four cases and found maladministration in three complaints. The full details,

including the Council's performance in responding to the complaints, the lessons learnt and the Council's self-assessment of its compliance with the Housing Ombudsman's complaint handling code, will be reported annually to Members. Further reporting is included in the Annual Governance Statement which was presented to the Audit and Risk Committee on 11 June 2025.

6.24 In conclusion, the Council has maintained high standards of governance and ethical conduct during 2024/25. The Monitoring Officer has fulfilled statutory duties and provided advice and guidance to support effective decision-making.

7 Links to our Strategic Priorities

7.1 The work of the Monitoring Officer directly supports the Council's priority of being a well-managed, proactive, and transparent organisation.

7.2 It also supports the delivery of a fair and accountable local democracy through strong ethical governance.

8 Opportunities for Collaboration and Local Government Reorganisation implications

8.1 The shared Monitoring Officer arrangements between Guildford and Waverley Borough Councils continued to provide efficiencies and consistent governance. Having a shared Monitoring Officer allows the governance between the two Councils to be harmonised, where it meets the Council's requirements, and this in turn will support and make easier any transition under Local Government Reorganisation.

8.2 The Monitoring Officer has appointed Deputy Monitoring Officers, two of whom, are shared between the Council and Waverley Borough Council.

8.3 The existing shared arrangements relating to the other Statutory Officers, the Head of Paid Service and the Chief Financial Officer, have continued throughout the year with consistency of officers,

enabling a robust ‘golden triangle’ to develop between statutory officers to support good governance across the organisation.

8.4 Further collaboration opportunities may be explored in relation to complaint handling processes and joint training initiatives. Proposals are currently being brought forwards in respect of shared services and additional joint committees to govern such shared services.

8.5 The role of the Monitoring Officer has been instrumental in overseeing the governance of the collaborative arrangements between the Council and Waverley Borough Council. The Monitoring Officer has updated the inter-authority agreement during the year, and provided support and training around the governance of sharing staff and services.

8.6 The Monitoring Officer has introduced several Simultaneous meetings during the year, primarily between the former Corporate Governance and Standards Committee (now Standards Committee) and the Waverley Borough Council equivalent Committee where they are considering the same or very similar business which benefits from an aligned approach.

8.7 The Monitoring Officer is supported by four posts created during the year, which are shared with Waverley Borough Council, comprising the Joint Governance Team.

9 Consultation

9.1 Consultation has taken place with the Council’s Corporate Leadership Board, including the two other Statutory Officers; the Chief Financial Officer and the Head of Paid Service.

9.2 Consultation has taken place with Leader of the Council and the relevant Portfolio Holder.

9.3 Consultation has taken place with the Council’s Deputy Monitoring Officers.

10 Key Risks

10.1 Risk: Failure to uphold ethical standards could undermine public trust and confidence in the Council.

10.2 Mitigation: Ongoing training, clear processes for complaints, and timely interventions by the Monitoring Officer.

10.3 Risk: Inadequate governance arrangements.

10.4 Mitigation: Annual review and regular updates to the Constitution, protocols and relevant policies, better reporting to the Standards Committee and the Audit and Risk Committee.

11 Options

11.1 (Recommended): Review and note the Monitoring Officer's Annual Report.

11.2 (Not Recommended): Option 2: Not to note the report. This would risk missing opportunities to improve governance and ethical standards.

12 Issues for consideration

12.1 Financial implications

12.1.1 There are no financial implications arising from this report.

12.1.2 It is anticipated that any additional training or governance support can be met within existing budgets.

12.2 Legal implications

12.2.1 This report ensures compliance with Section 5 of the Local Government and Housing Act 1989 regarding the duties of the Monitoring Officer.

12.2.2 It also supports compliance with the Council's Constitution and ethical framework.

12.3 **Human Resources and Equality and Diversity Considerations**

12.3.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

(a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
(b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
(c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

12.3.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

12.3.3 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

12.4 **Climate Change / Sustainability Implications**

12.4.1 There are no direct climate or sustainability impacts resulting from this report.

13 Overview & Scrutiny Comments

13.1 Not applicable

14 Suggested issues for Overview & Scrutiny

14.1 None

15 List of Appendices

Appendix 1 – Member Code of Conduct Complaints 2024–25

Appendix 2 - Joint Member Development Programme 2024-25

16 List of Background papers

Constitution of Guildford Borough Council

Local Government and Housing Act 1989

LGA Model Code of Conduct