

AUDIT AND GOVERNANCE COMMITTEE

16 September 2026

ANNUAL MONITORING OFFICER REPORT 2025-26

Report by the Director of Law & Governance and Monitoring Officer

RECOMMENDATION

The Audit and Governance Committee is recommended to CONSIDER and ENDORSE the Monitoring Officer's Annual Report for 2025/26.

Executive Summary

1. This report provides a comprehensive overview from the Monitoring Officer of democratic and ethical governance activities during the municipal year 2025-26 (from 1 April 2025 to 31 March 2026). The report is aligned with the functions of the Audit and Governance Committee, which is responsible for ensuring high standards of conduct among councillors and co-opted members.
2. The Committee's key responsibilities include:
 - i) Promoting high standards of conduct by councillors and co-opted members.
 - ii) Granting general and individual dispensations to councillors and co-opted members from requirements related to interests as set out in the code of conduct. Individual dispensations under Section 33 of the Localism Act 2011 and the Members' Code of Conduct are delegated to the Monitoring Officer.
 - iii) Reviewing the arrangements for dealing with complaints against Members and advising the Council on the adoption or revision of these arrangements, as well as the Members' Code of Conduct.
3. Over the course of the year, the Committee has consistently fulfilled its obligations, ensuring that ethical standards are maintained and that any complaints or allegations of misconduct are addressed promptly and fairly. This report highlights the Committee's activities, achievements, and the progress made in fostering a culture of transparency, accountability, and integrity within the council.

The Committee's responsibilities for ethical standards

4. The terms of reference of the Audit and Governance Committee detail the responsibilities as set out above.
5. These responsibilities, stemming from the Localism Act 2011, demonstrate the council's expectation that high standards of conduct will continue to be promoted and maintained among elected councillors and co-opted members.

Member Code of Conduct

6. The County, District and City Councils in Oxfordshire maintain harmonised Member codes of conduct. This has the benefit of creating transparency and accountability for the public and clarity of expectation for councillors who may also be members of more than one authority. This harmonisation is itself a key aspect in promoting and maintaining high standards across Oxfordshire. The code is also held out to parish and town councils as a model to follow.
7. Oxfordshire's Members' Code of Conduct can be found at Part 9 of the Constitution. This local Oxfordshire code reflects the Local Government Association's (LGA) Model Member Code of Conduct, published in January and May 2021.
8. Whilst each authority has adopted slightly different approaches to handling complaints about councillor conduct, there has been a common theme of proportionality in these arrangements, as envisaged by the Localism Act 2011.
9. The current Member Code of Conduct was adopted by the council with effect from 1 May 2022.
10. Mr Andrew Mills-Hicks and Mr Nicholas Holt-Kentwell remain as the council's Independent Persons. Both were appointed as Independent Persons for a period of two years, renewable once. Their appointments were approved by Council on 5 November 2024, with the term commencing on 1 December 2024.
11. The role of Independent Person is to provide support to the Monitoring Officer and, where required individual members, on complaints relating to the code of conduct.
12. A summary of code of conduct complaints received, considered and determined during 2025-26 and their outcome, is reported at paragraph 29 below.
13. The Monitoring Officer's role is wherever possible to provide proactive advice to members before any complaint is received. Upon receipt of code of conduct complaints, the Monitoring Officer continues to work proactively with members. The Monitoring Officer may consider that there is learning which should be shared with the councillor who is subject to a complaint and/or the Audit and Governance Committee.
14. The council has continued to be fully compliant with the Localism Act 2011 and subsequent government guidance and regulations in terms of maintaining the register of members' interests, which are published against each councillor's name on the Council's website (Find Councillor | Oxfordshire County Council). For quality assurance purposes, the Monitoring Officer will review all the council's guidance and processes in respect of the operation of the code of conduct and maintaining the register of members' interests in 2026-27.

Member Code of Conduct complaints – promoting and maintaining high standards of conduct by Councillors and Co- opted Members

15. It is a core duty of the Audit and Governance Committee and every member to promote and maintain high standards of conduct by councillors and co-opted members.
16. The Strengthening the Standards and Conduct Framework for Local Authorities in England Consultation sought input on establishing a mandatory code of conduct and improving standards procedures, including member suspension. On 15 January 2025, this committee agreed a council response, which was submitted as official feedback. The reforms aim to establish a consistent national framework for conduct, granting councils greater authority to investigate and penalise breaches. This is designed to boost accountability, ensure consistency, and increase public trust in local government.
17. As reported to this committee on 26 November 2025, the government has reviewed all submissions, and feedback received from 2,092 respondents during the consultation process. Responses were sought from members of the public, current and prospective local authority elected members, local government officers from all types and tiers of authorities, and local authority sector representative organisations. The government has indicated that “necessary legislation will be brought forward when parliamentary time allows” and the Monitoring Officer will keep the committee updated on key developments in the government's response to the consultation, including progress and timing of legislation. This is not included in the current parliamentary schedule.
18. Advice from the Monitoring Officer was issued during the year as regards:
 - i) Disclosable pecuniary interest (DPI) – advice and guidance were provided to members during 2025-26 through the May 2025 Code of Conduct induction/training, following the May County Council elections.
 - ii) Interests in relation to the council budget setting meeting in February 2026
 - iii) Pre-election guidance to councillors and employees on responsibilities about the use of council publicity and resources during the pre-election period for the 7 May 2026 city and district council elections.

Declaration of interests

19. There are three types of interest relating to members:
- i) **Disclosable pecuniary interest** – this is an interest of the member, or their partner. This includes employment, office, trade, profession or vocation, sponsorship, contracts, land and property, licences, corporate tenancies and securities.
 - ii) **Other Registrable interest** – this is an interest of the member relating to
 - Any unpaid directorships
 - Anybody of which they are a member or are in a position of general control or management to which they are appointed to by the council.
 - Anybody exercising functions of a public nature, directed to charitable purposes or one whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
 - iii) **Non-registrable interest** - Where a matter arises at a meeting which directly relates to a member's financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, they must declare the interest.
20. The usual safeguards are in place including a reminder to members of the need to declare interests at all meetings, and all agendas contain a standard item headed 'Declaration of Interest'. The item refers to detailed guidance attached to the agenda setting out how and when to declare an interest.
21. The Monitoring Officer will continue to encourage Councillors to think about whether they have any interests to declare as soon as they receive the published papers for a meeting rather than at the commencement of the meeting. This will allow the Councillor to discuss any concerns with the Monitoring Officer in good time, and this point is built into all member Code of Conduct training.

Number and outcome of applications for dispensations

22. There were no applications during 2025-26 for dispensation from the requirement to remove oneself from a meeting where either a disclosable pecuniary interest or another registrable interest or non-registrable interest would otherwise require this on a motion.

The number and nature of complaints of breaches of the code

23. There were 11 formal complaints received and determined against members during 2025-26 (12 in 2024-25), five of which related to the use of social media.
24. In each conduct case, the Monitoring Officer considered whether the behaviour complained about arose when the person was acting or purporting to act as a county councillor. This is known as 'official capacity'. Consideration is given to the following assessment criteria:

i) Adequate information

Is sufficient information available at the initial test and assessment stage to decide whether the complaint should be referred for investigation or other action?

ii) Official capacity

Was the member subject to the complaint acting in an official capacity?

iii) Timescale

Complaints will not normally be investigated or pursued if the events occurred more than 6 months prior to the complaint being submitted other than in exceptional circumstances, such as where the conduct relates to a pattern of behaviour which has recently been repeated.

iv) Seriousness

The matter will not normally be referred for investigation or other action if it is considered trivial, malicious, vexatious, or politically motivated.

v) Public interest

Consideration will be given as to whether the public interest would be served by referring a complaint for investigation or other action.

vi) Multiple complaints

It will be noted whether the Monitoring Officer has received more than one complaint about a single event.

25. As part of the assessment, the Monitoring Officer assesses whether the conduct complained of, if proven, could amount to a breach of the code of conduct.
26. On each occasion in 2025-26 the Monitoring Officer undertook the initial assessment of a code of conduct complaint against the criteria set out above and sought the views of an Independent Person before reaching their decision as to what further action was required.
27. The Monitoring Officer has personally reviewed every complaint received and, after consultation with the Independent Person, has taken a decision which could be any of the following:
 - i) That no further action should be taken
 - ii) Refer the complaint for informal resolution (which might involve an apology or training or some other form of mediation)
 - iii) Refer the complaint for investigation
28. Of the cases received in 2025-26 that have been determined, details and outcomes are set out as follows:

	Complaint/Allegation	Outcome
1	Complaint about post on social media	No Further action
2	Complaint about post on social media	No Further Action
3	Complaint about post on social media	No Further Action
4	Complaint about submission to public planning matter	No Further Action
5	Complaint about post on social media	No Further Action
6	Complaint about post on social media	No Further action
7	Complaint about information shared publicly about highway proposals.	No Further action
8	Complaint about comments made in public forum	No Further action
9	Complaint about comments made in public forum	No Further action
10	Complaint about comments made in council meeting	No Further action
11	Complaint about the undertaking of the role of councillor	No Further action

29. While Councillors cannot be compelled to respond to every piece of correspondence or communication they receive and can choose how they undertake their role as a Councillor, non-response to communications remains a source of complaint from members of the public who expect engagement from Councillors. Additionally, social media and other public forum activity by Councillors continue to generate complaints.
30. As part of this process, the Monitoring Officer evaluates whether a complaint merits further investigation, applying the public interest as a guiding principle.

Oxfordshire Monitoring Officers' Group

31. Monitoring Officers from Oxfordshire's County and District Councils have continued to meet to discuss issues of common concern, along with a representative of the Oxfordshire Association of Local Councils. This joined up approach between the Monitoring Officers continues to be useful in interpreting the code of conduct and monitoring the operation of the harmonised codes of conduct and adopting an agreed approach to governance issues generally.

Democratic process

32. Clarity and accountability in the decision making of the council is an important bedrock for good governance. Members of the public continue to be able to participate at formal meetings in person or virtually in terms of speaking and addressing meetings, as well as viewing them remotely.
33. In total, 127 formal public meetings were held and facilitated by the committee services team of the council between 1 April 2025 and 31 March 2026 (132 in 2024-25)
34. There remains a high level of democratic engagement at Council, Cabinet and Committee meetings that are open to the public, particularly in respect of questions from the public which saw a significant rise. Members of the public asked 105 public questions (31), presented 8 petitions (23) and addressed members 296 (331) times at formal meetings during 2025-26. The figures in brackets are for 2024-25.

Decision-making governance

35. It is important, though, as in any year, to inform the Audit and Governance Committee of how the decision-making arrangements worked in practice as regards instances of closed sessions, urgent decisions, and call-in.

Closed sessions

36. The press and public can be excluded from the whole or part of a meeting if the meeting is to discuss confidential or exempt information (as set out in Schedule 12A of the Local Government Act 1972, as amended). The Monitoring Officer, in the role of ensuring lawful decision making, has reviewed the number of times that either the public was excluded or that an exempt report was featured on an agenda and was satisfied in each case that Schedule 12A of the Local Government Act 1972, as amended was applied appropriately. This happened at 16 out of 127 meetings during 2025-26 (9 in 2024-25) broken down as follows:

Pension Fund Committee	4
Remuneration Committee	5
Remuneration Committee (Sub-Committee)	3
Cabinet	2
Education and Young People Overview & Scrutiny Committee	1
Planning and Regulation Committee	1
Total	16

Urgent decisions

37. The Cabinet and any other body or person discharging executive functions may take a decision which is contrary to or not wholly in accordance with the budget or policy framework as approved by the council if the decision is a matter of urgency. However, the decision may only be taken if it is not practical to convene a quorate meeting of the council; and if consent has been given to the decision being taken as a matter of urgency by the Chair and Deputy Chair of relevant Overview and Scrutiny Committee (or by the Chair and/or Vice-Chair of the Council in the absence of one or both of them).
38. Under the Scheme of Delegation in the Council's Constitution (Part 7.2, paragraph 6.3 (c)(i)), the Chief Executive is authorised to undertake an executive function on behalf of the Cabinet. Cabinet receives a quarterly report on the use of this delegated power in relation to such executive decisions; that is, decisions that might otherwise have been taken by Cabinet. The decisions taken largely related to approval to exceptions from the Council's Contract Procedure Rules.
39. There were 2 instances where the Chief Executive has taken Executive Decisions relating to urgent matters in 2025-26 (5 in 2024-25). These decisions are recorded by Democratic Services and were reported to the Cabinet on each occasion.

Scrutiny call-in

40. No executive decisions were called in by Scrutiny during 2025-26.

Transparency and access

41. Modern.Gov is the software package used by the council for creating, tracking and publishing council meeting agenda, reports and minutes. This is important for transparency as the system publishes clear information on the council's website as to the calendar of meetings and the accessibility of meeting papers.
42. Modern.Gov is used to manage the council's Forward Plan and for publicising meetings and agendas, committee appointments, as well as appointments to outside bodies. The system has wider capabilities to support paperless meetings and report preparation, and these aspects continue to be taken forward through improvement projects as part of the Governance Improvement Plan.

The Constitution

43. A local authority is under a duty to prepare and keep up to date its constitution under s.9P Local Government Act 2000 as amended which should be publicly accessible.
44. The council's constitution:

- i) sets out the council's governance arrangements which provide clear leadership to the community in partnership with citizens and other stakeholders;
- ii) supports the active involvement of citizens in the process of local authority decision-making by setting out their rights in respect of the process of decision-making and access to information;
- iii) helps Councillors represent their constituents more effectively;
- iv) enables decisions to be taken efficiently and effectively;
- v) creates an effective means of holding decision-makers to public account;
- vi) ensures that no one will review or scrutinise a decision in which they were directly involved;
- vii) ensures that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- viii) sets out the standards of conduct expected of Councillors and those who work for or with the council

Constitution Review

- 45. It is the Monitoring Officer's responsibility to monitor and review the operation of the Constitution to ensure that its aims, principles and requirements are given full effect and make recommendations on any necessary amendments to it to the council.
- 46. On 26 November 2025, this Committee agreed to re-establish a Constitution (Member) Working Group (CWG), which plays an important role in reviewing and updating the Council's constitution and associated protocols. At its first meeting on 2 February 2026, proposed changes were presented by the Director of Law & Governance and Monitoring Officer, focusing mainly on clarifying wording, updating memberships and descriptions, and addressing grammatical and formatting issues. The Director has delegated authority for such textual amendments under Part 7.2, paragraph 6.4(t) of the Constitution. Some changes, including responsibilities related to Honorary Aldermen, Freedom of the County, the petition scheme, guest speakers, and member-officer contact, require approval by CWG, Audit and Governance Committee, and Council. Feedback from Political Groups was received and a comprehensive report was presented to this Committee on 20 May 2026 ahead of seeking approval of the final updated constitution from Council on 30 June 2026.

Pre-election and induction preparation

47. In 2024-25, the council prepared for the County Council elections (1 May 2025) and launched an induction programme for the incoming administration and councillors.
48. Induction training commenced following the elections and focused on the Member Code of Conduct, service overviews, legal requirements like planning law, and practical skills such as chairing meetings. It introduced members to the leadership team and service colleagues to foster open relationships and provided a foundation for ongoing member development throughout their term.
49. All newly elected councillors were required to take part in a thorough induction process. This was particularly pertinent following the May 2025 elections, with 39 of the 69 seats occupied by individuals who have not previously served as Oxfordshire County Councillors.

Internal Audit of Officer Declarations of Interest and Gifts & Hospitality

50. Internal Audit assessed the council's controls around Officer Conflicts of Interest and Gifts & Hospitality for 2024-25, looking at governance, policy communication, compliance, and oversight. The review was designed to provide assurance over risk management and to help inform the annual opinion on internal controls.
51. The Committee received Internal Audit's findings in a report at its meeting held on 12 March 2025. The internal control system was rated amber, and twelve priority 2 actions were identified. All of these were completed by September 2025.

Complaints

52. As previously reported to this Committee on 15 July 2026 the number of complaints received by the council during 2025-26 is summarised as follows under Children Social Care, Adult Social Care and Corporate (with data for 2024-25 included for comparison). All councils are required to process Children Social Care and Adult Social Care complaints in line with statutory frameworks. Complaints made relating to other council services are categorised as corporate complaints.

	2025-26	2024-25
Children's Social Care complaints	164	129
Adult Social Care complaints	144	114
Corporate (non-Social Care) complaints	530	482
Total complaints	838	725

Compliments

53. During 2025-26, 187 compliments were centrally recorded by the Customer Feedback team against identifiable service areas and teams across the council.
54. The highest number of recorded compliments related to Adult Social Care, followed by Customer Experience and Children's Social Care. A full breakdown of compliments recorded by service area is set out in the table below.

Service area	2025-26
Adult Social Care	82
Customer Experience	59
Children's Social Care	22
SEND	9
Waste & Recycling	8
Highways & Transport	3
Fire & Rescue Service	1
Libraries & Heritage	1
Registrations	1
Quality Assurance Service	1
Total compliments	187

55. It should be noted that there is no formal requirement for compliments to be recorded centrally and, as such, these figures may not capture the full number of compliments received across the Council during the year. The figures should therefore be regarded as an indication of compliments formally recorded, rather than a complete measure of all positive feedback received.
56. Analysis of the compliments received identifies several recurring themes:
- i) **Professionalism, kindness and empathy** – residents, families and partner organisations frequently praised officers for their compassion, patience, understanding and respectful approach, particularly during challenging or emotional circumstances.
 - ii) **Clear communication and responsiveness** – compliments regularly highlighted officers who kept people informed, explained processes clearly, responded promptly to enquiries and helped customers understand available options and next steps.

- iii) **Going above and beyond** – many compliments recognised officers who took additional time to resolve problems, coordinate services, support applications, follow up enquiries and ensure positive outcomes for residents and families.
- iv) **Positive support for vulnerable residents and families** – feedback reflected the impact of support provided across Adult Social Care, Children's Services, SEND, Occupational Therapy, Home First, Financial Assessment and Review Services, helping people maintain independence, access appropriate support and navigate complex situations.
- v) **Professional expertise and effective practice** – residents and professionals praised officers for their knowledge, sound judgement, advocacy, assessment skills, effective meeting facilitation and commitment to achieving positive outcomes.
- vi) **Customer service excellence** – significant positive feedback was received for Customer Experience services, including Blue Badge, Bus Pass, Parking Permit and Congestion Charge enquiries, with officers recognised for being helpful, patient and solution-focused when assisting customers with services and online systems.
- vii) **Partnership working and collaboration** – compliments highlighted strong working relationships between council staff, families, carers, schools, health professionals and partner organisations, with appreciation expressed for collaborative approaches and coordinated support.
- viii) **Commitment to residents and communities** – compliments demonstrated the positive impact council officers have on residents' day-to-day lives, from frontline customer services and social care support to SEND, waste and recycling, highways and community services.

57. The compliments recorded during the year provide a useful indication of the positive impact that council officers continue to have on residents, families, carers and communities across Oxfordshire. Whilst not all compliments received across the organisation are formally recorded, the feedback received demonstrates a strong commitment to public service, professionalism and supporting positive outcomes for residents.

Information requests –Subject Access Requests, Court Orders, Police disclosures and Freedom of Information

58. The council receives a number of different types of information requests:

- i) **Subject Access Requests** – Individuals have the right to ask an organisation if it is using or storing their personal information and can request copies under Section 45 of the Data Protection Act 2018.
- ii) **Court Orders** – Requests for information relating to a matter being heard in Court, such as the Court of Protection or private hearings in the Family Court.
- iii) **Police disclosures** – Requests received from the Police for information relating to investigations about an alleged criminal offence.

- iv) Freedom of Information/Environmental Information – Anyone has a right to request recorded information from a public authority under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.

59. The number of requests received during 2025-26 (and 2024-25 for comparison) is summarised as follows:

	2025-26	2024-25
Subject Access Requests	655	491
Court Orders	156	131
Police Disclosure Requests	79	100
Freedom of Information Act 2000 (FOI)	1490	1467
Environmental Information Regulations 2004 (EIR)	630	536

Records Management

60. During 2025-26, significant preparatory and operational work was undertaken to move hard copy records from County Hall to the council's store at Nuffield Way, Abingdon. This involved identifying, cataloguing and preparing paper files for transfer, ensuring that records remained appropriately managed, retrievable and secure during and after the move. Future plans will focus on consolidating records storage, maintaining reliable access to records needed for statutory information requests and service delivery, and reducing reliance on paper records where appropriate by improving digital capture and records management at the point of creation. This work will support the wider move from County Hall, strengthen business continuity arrangements for vital paper records, and help the Access to Information Team respond more effectively where historic or hard copy material is required.

Local Government Reorganisation - Governance

61. In addition to the matters set out above, the council's governance activity during 2025-26 included preparation for the implications of local government reorganisation. The Council submitted its final proposal to Government in November 2025, setting out its preferred model for a single unitary authority for Oxfordshire. In the period to 31 March 2026, work continued to consider and plan for the governance, constitutional and operational implications of local government reorganisation, including preparation for the potential model or models that may be taken forward. At the end of the reporting year, the council was awaiting the Secretary of State's minded-to decision, anticipated during summer 2026 and subsequently received on 16 July 2026.

62. Oversight of local government reorganisation will be reported through the Performance and Corporate Services Overview and Scrutiny Committee. This Committee will receive reports on the governance arrangements associated with any subsequent implementation.

Summary

63. This annual review highlights progress in maintaining democratic accountability and transparency, with members continuing to undertake their role as community leaders during 2025-26.
64. During 2025-26, the council maintained its existing governance arrangements while preparing for the next phase of local government reorganisation. The Secretary of State's minded-to decision will shape governance work throughout 2026-27.
65. Sustained demand across complaints and information request processes remains a significant feature of the Council's governance activity. Compliments received during the year also provide assurance of the professionalism, responsiveness and resident-focused approach demonstrated by officers across services.
66. Promoting and upholding the highest standards of conduct will remain a key priority in 2026-27. Members and officers must continue to provide clear ethical leadership for the Council and exemplify the standards of behaviour expected of themselves and others.

Corporate policies and priorities

67. The council has a stated priority to ensure a vibrant participatory democracy.

Financial implications

68. The activities highlighted in this report relate to business as usual and funding is provided as part of the council budget.

Legal implications

69. Relevant references to legal powers are included in the main body of the report. Under section 5 of the Local Government and Housing Act 1989 the Council is required to designate an officer as the Monitoring Officer whose responsibilities set out in the council's Constitution include ensuring lawfulness and fairness of decision making and to contribute to the promotion and maintenance of high standards of conduct through provision of support and advice to the Audit & Governance Committee.

Staff implications

70. None directly arising from this report.

Equality and inclusion implications

71. None directly arising from this report.

Sustainability implications

72. None directly arising from this report.

Risk management

73. None directly arising from this report.

Consultation

74. None directly arising from this report.

Anita Bradley,
Director of Law & Governance and Monitoring Officer

Contact officer: Sarah Smith, Senior Governance Lead

September 2026