Mr Derrick Chester

Dear Mr Chester

Local Authority Complaint

Thank you for your email of 12 June in relation to guidance on councillors engaging with members of the public.

You may wish to note local councils act independently of central Government. Ministers, even the Prime Minister, have no remit to intervene in the day to day affairs of local authorities, except where specific provision has been made in an Act of Parliament. Local councils must act within their statutory powers.

Every council is obliged to produce a code of conduct for its members. It is for each council to determine the contents of their code, although any code must conform to the seven 'Nolan' principles of standards in public life; selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Your council's code will be available on its website.

Councils and councillors must off course act in accordance with the law. Any concerns you may have in relation to a council or councillor not complying with statutory legislation or guidance including relating to safeguarding, should be addressed to the council's Monitoring Officer. It is the role of the Monitoring Officer to ensure the council complies with the law and their own policy and procedure. Furthermore they have a statutory role in reporting on matters that they believe are, or are likely to be illegal or amount to maladministration.

In relation to your specific concerns about vetting for councillors, the Local Government Act 1972, Section 79 and 80, (https://www.legislation.gov.uk/ukpga/1972/70/section/79), set out the qualifications and disqualification criteria for councillors.

With regards to compliance with data protection rules, further information can be found here www.gov.uk/data-protection.

I hope that my advice is of assistance.

Yours sincerely,

Urmi Solanki