

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Your attendance is requested at a meeting to be held at The Holding Room, The Guildhall, St. Giles Square, Northampton, NN1 1DE on Monday, 24 June 2019 at 5:00 pm.

George Candler
Chief Executive

AGENDA

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
6. DRAFT WORK PLAN FOR THE STANDARDS COMMITTEE 2019/2020
The Standards Committee to consider its Work Plan for 2019/2020.
7. STATISTICS - CODE OF CONDUCT COMPLAINTS
The Standards Committee to consider a report regarding complaints received under the Arrangements for dealing with allegations of breaches of the Council's Code of Conduct and of Codes of Conduct adopted by Parish Councils.
8. EXCLUSION OF PUBLIC AND PRESS
THE CHAIR TO MOVE:
"THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(I) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT."

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Monday, 25 March 2019

PRESENT: Councillor Patel (Chair); Councillor Oldham (Deputy Chair); Councillors Bottwood, B Markham, Marriott and Russell

1. APOLOGIES

There were none.

2. MINUTES

The minutes of the meeting held on 3 December 2018 were approved and signed by the Chair as a true and accurate record.

3. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

4. DECLARATIONS OF INTEREST

There were none.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. RECRUITMENT OF AN INDEPENDENT MEMBER OPTEE TO THE STANDARDS COMMITTEE

The Standards Committee was apprised of the applications and recent interviews that had taken place for the vacancy of co-optee to the Committee – Independent Member.

The Chair advised that a number interviews had been held for the role of Independent Member Co-Optee. The Standards Working Group recommended that Applicant A is offered the role of Independent Member Co-Optee to the Standards Committee. Applicant A, Ika Castka, had verbally accepted the appointment subject to the approval of the Standards Committee.

Resolved: That:

- (1) Ika Castka is offered the role of Independent Member Co-Optee to the Standards Committee from 1 April 2019.

7. CODE OF CONDUCT ARRANGEMENTS COMPLAINTS

The Standards Committee considered the report that detailed the statistical data in relation to Code of Conduct Arrangements complaints.

The Code of Conduct Arrangements is scheduled to be an agenda item at all meetings of the Standards Committee also.

The Standards Committee queried the status of a complaint that could not be dealt with until a separate investigation had been completed.

The Chair advised that the Committee must convene a Hearings Panel, comprising three Councillors from the Committee, one Co Optee (independent Member) and one Co Optee (Parish Councillor) to conduct a Local Hearing in accordance with the Council's Arrangements for dealing with allegations of breaches of NBC's Code of Conduct and Codes of Conduct adopted by Parish Councils. The Hearings Panel would then consider the complaint in respect of a Parish Councillor.

RESOLVED: (1) That the statistics in relation to the number of complaints received, and dealt with, in respect of the Code of Conduct Arrangements is noted.

(2) That further information on the statistical data, in relation to the number of complaints received, and dealt with, in respect of the Code of Conduct Arrangements is presented to the Committee at its next meeting.

(3) That a Hearing Panel comprising of the following Members is convened to consider the complaint as detailed in paragraph 3.1.5 a)1) of the report:

Councillors Suresh Patel, Brian Oldham, Les Marriott (Councillor Brian Markham – substitute), Roger Rumsey, Co Optee (independent) and Parish Councillor David Lewis (Co Optee.)

8. STANDARDS COMMITTEE ANNUAL REPORT 2018/2019

The Standards Committee considered the draft Annual Report of the Standards Committee 2018/2019 noting the content contained within.

RESOLVED: That the Annual Report of the Standards Committee 2018/2019 is approved, subject to the update of the membership of the Committee being confirmed in the report and the statistical data for Code of Conduct complaints received is updated if required.

9. INTERNAL AUDIT REPORT: MEMBER-OFFICER RELATIONSHIP REVIEW (DECEMBER 2018)

The Committee heard that the Monitoring Officer's representative had requested that the Committee had sight of the document - Internal Audit Report: Member-Officer Relationship Review (December 2018). It is expected that from this document an Action Plan will be produced. Once the Action Plan has been produced and confirmed, a further report will be presented to the Committee for its information.

The Committee commented that it was good to receive this report and would be useful to monitor it.

RESOLVED: That the report: Internal Audit Report: Member-Officer Relationship Review (December 2018) is noted and a further report is presented to the Committee at a later meeting.

The meeting concluded at 5:20 pm



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**NORTHAMPTON BOROUGH COUNCIL
STANDARDS COMMITTEE – WORK PLAN 2019/2020**

Topic Area DRAFT	Rationale	Responsibility	Anticipated Meeting Date (s) of Standards Committee
Work Plan 2019/2020 for the Standards Committee	To approve the Work Plan 2019/2020 for the Standards Committee	The Standards Committee	June 2019
Register Gifts and Hospitality (Members and Officers)	To receive details regarding the declarations of gifts and hospitality of Members and Officers during 2018/2019	The Standards Committee	September 2019
Code of Conduct and arrangements for investigating alleged breaches	To receive details of complaints received in respect of alleged breaches of the Code of Conduct of Northampton Borough Council and of Parish Councils within the Borough	The Standards Committee	June 2019 September 2019 December 2019 March 2020

Agenda Item 6



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STANDARDS COMMITTEE – WORK PLAN 2019/2020**

Topic Area	Rationale	Responsibility	Anticipated meeting date (s)
Training Strategy - Ethical and Governance Matter 51	To review the Standards Committee's Training Strategy for all Members of the Council in relation to ethical and governance matters and specific training for Members of the Standards Committee.	The Standards Committee	December 2019
Communications Strategy	To review the Standards Committee's Communications Strategy that promotes the work of the Standards Committee and the importance of ethical governance.	The Standards Committee	December 2019
Whistleblowing Policy	To review the effectiveness of the Council's Whistleblowing Policy and Procedure and its implementation.	The Standards Committee	December 2019



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STANDARDS COMMITTEE – WORK PLAN 2019/2020**

Topic Area	Rationale	Responsibility	Anticipated meeting date (s)
CIPFA International Framework: Good Governance in the Public Sector	The Committee to receive briefings on the CIPFA International Framework: Good Governance in the Public Sector in so far as it relates to the work of the Standards Committee.	The Standards Committee	As required
Internal Audit Report: Member-Officer Relationship Review	The Committee to receive a briefing on the Internal Audit Report: Member-Officer Relationship Review	The Standards Committee	March 2020
Annual Report of the Standards Committee	To receive the Annual Report of the Standards Committee 2019/2020 to include update about delivery of the Work Plan and monitoring data	The Standards Committee	March 2020
Work Plan 2020/2021 for the Standards Committee	To approve the Work Plan 2020/2021 for the Standards Committee	The Standards Committee	March 2020

NB: The approval of a Work Plan for the Standards Committee will not affect the responsibility or discretion of the Committee during the year, as the Committee can, at subsequent meetings, agree to update the Work Plan, if it is necessary to do so.

Appendices: 0



STANDARDS COMMITTEE REPORT

Report Title	STATISTICS – CODE OF CONDUCT ARRANGEMENTS COMPLAINTS
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	24 June 2019
Policy Document:	No
Directorate:	Borough Secretary and Monitoring Officer

1. Purpose

- 1.1 The purpose of the Report is to provide the Committee with information by reporting on the statistics regarding the number of complaints received and dealt with under the “*Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members’ Code of Conduct and of Codes of Conduct adopted by Parish Councils*”.
- 1.2 At its meeting of 18 December 2017, the Standards Committee requested that statistical information be presented to each meeting of the Committee; with updates on the live complaints, new complaints and complaints that have been actioned and closed since the last meeting.

2. Recommendations

- 2.1 To note the statistics in relation to the number of complaints received, and dealt with, under the Code of Conduct Arrangements.
- 2.2 That statistical data in relation to the number of complaints received and dealt with, in respect of the Code of Conduct Arrangements is presented to each meeting of the Committee.

3. Issues and Choices

3.1 Report Background and Issues

- 3.1.1 It was resolved at the meeting of the Standards Committee held on 17 July 2017 that information regarding the number of complaints received and dealt with under the Code of Conduct Arrangements would be presented to the

Committee at its next meeting in October. This information was presented to the Committee in October 2017.

- 3.1.2 The Committee requested that the data presented to it was elaborated upon to include further statistics regarding the complaints, such as the time taken to resolve the complaints and the outcomes of each complaint.
- 3.1.3 Further information was provided to the Standards Committee at its meetings in December 2017, March 2018, June 2018, September 2018, December 2018 and March 2019.
- 3.1.4 The data in paragraph 3.1.5 below relates to all Code of Conduct complaints that are still live, have been closed since the last Committee in March 2019 or have been received since the March 2019 Committee papers were published.
- 3.1.5

a) Complaints against a Parish Councillor

1) Complaint received on 29 May 2018

This file is open.

An initial assessment made by the Solicitor, on behalf of the Monitoring Officer, in consultation with the Independent Person, was held on 24 July 2018. The determination of the initial assessment of the complaint was that the complaint would be referred to an investigation. An Investigator has been appointed and the investigation has been concluded. The Investigator's conclusion was:

It is the view of the Investigating Officer that the Subject Member acting in his capacity as a Councillor and that there is a case to answer by the Subject Member for failure to comply with the Council's Code of Conduct.

The Solicitor on behalf of the Monitoring Officer, has in consultation with the Independent Person reviewed the Investigator's report, and decided to refer the matter to the Standards Committee.

Therefore, a Hearings Panel of the Standards Committee will be established to conduct a Local Hearing in accordance with the Council's Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils. The Hearings Panel will conduct a Local Hearing to decide whether the Parish Councillor failed to comply with the Parish Council's Code of Conduct and, if so whether any action should be taken in respect of the Councillor.

Membership of the Hearings Panel was agreed at the March 2019 meeting of the Standards Committee:

Councillors Patel, Oldham, Marriott, Mr Rumsey (Co-Optee (Independent) and Parish Councillor Lewis (Co Optee). Councillor B Markham (substitute).

The Hearings Panel will be notified regarding a date for the Hearing.

b) Complaint against Borough Councillors

1) Complaint received on 25 March 2017

As reported to the December, March, June, September, December 2018 and March 2019 meetings of the Standards Committee, this file is still open.

The determination of the initial assessment of the complaint was that the complaint would be held in abeyance pending the outcome of a separate investigation.

2) Four complaints received about the same Councillor on 11 February 2019 (2), 27 February 2019, and 11th March 2019

These files are now closed.

While each of these four complaints relates to the same Councillor, the subject matter of each complaint is different. An initial assessment meeting took place at the end of March 2019 to consider each of these complaints.

The determination of the initial assessment of these four complaints was that they should be dealt with by an alternative form of resolution:

The Solicitor will provide a verbal update to the Committee at the meeting.

3) Complaint received on 11 March 2019

This file is now closed.

The complainant alleged that the subject Member had not responded to her emails; however, upon investigation a response had been issued. The file was therefore closed.

3.2 Choices

3.2.1 Members are asked to note the information provided.

4. Implications (including financial implications)

4.1 Policy

4.1.1 This report does not have any direct policy implications.

4.2 Resources and Risk

4.2.1 This report does not have any direct resource implications.

4.3 Legal

4.3.1 Complaints received are dealt with in accordance with the *Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils* which were adopted pursuant to the Localism Act 2011.

4.4 Equality

4.4.1 There are no direct equality and diversity implications arising from this report.

4.5 Consultees (Internal and External)

4.5.1 Not applicable.

4.6 Other Implications

4.6.1 None.

5. Background Papers

5.1 Complaints received in respect of the Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils.

Francis Fernandes
Borough Secretary and Monitoring Officer