

## NORTHAMPTON BOROUGH COUNCIL

### STANDARDS COMMITTEE

Monday, 11 June 2018

**PRESENT:** Councillor Patel (Chair); Councillor Oldham (Deputy Chair); Councillors Bottwood, Kilbride and B Markham; K Holland (Co-Optee – Independent); R Rumsey (Co-Optee – Independent); Parish Councillor L Hook (Co-Optee) and Parish Councillor D Lewis (Co-Optee)

#### 1. APOLOGIES

Apologies for absence were received from Councillor Cathrine Russell, Councillor Les Marriott and Councillor Terrie Eales.

#### 2. MINUTES

The minutes of the meeting held on 19 March 2018 were signed by the Chair as a true and accurate record.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

#### 4. DECLARATIONS OF INTEREST

Councillor Alan Bottwood and Councillor Suresh Patel declared interests in their capacity as Parish Councillors in agenda item 5.

#### 5. CODE OF CONDUCT ARRANGEMENTS COMPLAINTS

The Standards Committee received a report detailing statistics in relation to Code of Conduct Arrangements complaints.

The Standards Committee discussed the complaints listed.

In relation to a query regarding the recommendation of an Investigator from a Code of Conduct complaint; the Committee was advised that the Code would be looked at and should it need to be altered it would be brought to both the Standards Committee and the Constitution Review Working Party for consideration.

The Committee was further advised that the Solicitor on behalf of the Monitoring Officer in consultation with the Independent Person has undertaken an initial assessment for the two complaints regarding a Borough Councillor; determination was for there to be an alternative form of resolution. Further update in due course.

The process regarding complaints was explained, detailing why, on occasions it can take some time for there to be an outcome following an investigation.

**RESOLVED:** That:

- (1) The statistical data in relation to the number of complaints received and dealt with is noted.
- (2) Statistical data in relation to the number of complaints received and dealt with is presented to the Committee at each meeting.

**6. REGISTER OF GIFTS AND HOSPITALITY**

The Standards Committee received a verbal update regarding the process for Register of Gifts and Hospitality. The process and guidance was referred to.

RESOLVED: That the update is noted.

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

There were none.

At this point, the Chair advised that as Councillor Zoe Smith was no longer a member of the Committee there was a need to review the membership of the Standards Working Group (Work Plan). The membership for 2017-2018 comprised: Councillors Patel, Oldham, B Markham and Smith. He asked for the Committee to nominate a Councillor to replace Councillor Smith on the Working Group.

Councillors were advised to contact the Scrutiny Officer should they want to be a member of this Working Group.

The meeting concluded at 5:10 pm

Appendices: 0



## STANDARDS COMMITTEE REPORT

<b>Report Title</b>	<b>STATISTICS – CODE OF CONDUCT ARRANGEMENTS COMPLAINTS</b>
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**AGENDA STATUS: PUBLIC**

<b>Committee Meeting Date:</b>	17 September 2018
<b>Policy Document:</b>	No
<b>Directorate:</b>	Borough Secretary and Monitoring Officer

### 1. Purpose

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- 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

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#### 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.

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 and June 2018.

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 June 2018 Committee meeting or have been received since the June 2018 Committee papers were published.

3.1.5

**a) Complaints against a Parish Councillor**

1) Complaint received on 13 March 2018

An initial assessment made by the Solicitor, on behalf of the Monitoring Officer, in consultation with the Independent Person, was held on 3 April 2018. The determination of the initial assessment of the complaint was that the complaint would be referred to an investigation. An Investigator was appointed.

The Investigator concluded from the evidence received that that the investigation did not identify a breach of the Code by the Subject Member.

The Independent Person and the Solicitor, on behalf of the Monitoring Officer considered the Investigator's report and determined that there would be no further action based on the case presented in the Investigator's report.

The file is now closed.

2) 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.

## **b) Complaint against a Borough Councillor**

### 1) Complaint received on 25 March 2017

As reported to the December, March and June 2018 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) Two complaints received on 14 May 2018

This file is still open.

Two complaints about the same Councillor were received on 14 May 2018 and the initial assessments of the complaints took place on 5 June 2018. The outcome of the initial assessment was provided to the Committee at its June meeting, which was, that there is to be an alternative form of resolution.

The meeting between the subject Member and complainant is being scheduled.

### 3) Complaint received on 28 August 2018

This file is open.

A complaint about a Borough Councillor was received on 28 August 2018. At the time of publication of this report, the initial assessment had not yet taken place. The Committee will be updated at its next meeting.

## **3.2 Choices**

3.2.1 Members are asked to note the information provided.

## **4. Implications (including financial implications)**

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### **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**

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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**

## **NORTHAMPTON BOROUGH COUNCIL**

### **STANDARDS COMMITTEE**

#### **Councillor Training Strategy – Ethical and Governance Matters**

#### **1 Introduction**

- 1.1 The Standards Committee is responsible for promoting and maintaining high standards of conduct by Members and co-opted Members of the Council; for assisting Members to observe the Members' Code of Conduct and for promoting high ethical standards within Parish Councils. Within its terms of reference the Standards Committee can also undertake any action that improves, promotes, safeguards and facilitates the highest standard of probity and ethical conduct by the Council, its Members and Officers and advise the Council on ethical aspects of good governance standards for public life.
- 1.2 Members of the Standards Committee may also be required to participate directly in the process of dealing with allegations that a Member has breached the Code of Conduct if a Hearing Panel of the Committee is established following an investigation into an alleged breach of the Code.
- 1.3 It is important that individual Members of the Standards Committee are themselves adequately trained in ethical and governance matters to enable them to act as effective Members of the Committee.
- 1.4 Training in ethical and governance matters is a key aspect of Councillor Development for all 45 Members of Northampton Borough Council.

#### **2 Key Objectives of the Councillor Training Strategy – Ethical and Governance Matters**

- To identify and provide the training required by Members of the Standards Committee on ethical and governance matters.
- To raise the profile of the Council's ethics and governance agenda and the work of the Standards Committee.
- To improve understanding amongst Members about ethical and governance matters and their responsibilities, to contribute to the strengthening of the Council's overall governance framework.

#### **3 Outline Training Programme for the Municipal year 2017/2018**

- 3.1 The following ethical and governance training and development topics for Councillors have been identified:

- Members' Code of Conduct (including consideration of the Nolan 'principles of public life') and the Arrangements for investigating alleged breaches of the Code
- Disclosure and Registration of Interests
- Gifts and Hospitality
- Organisational Ethics and Culture
- Anti-Fraud and Corruption Framework including Whistleblowing Policy and Procedure
- Decision Making
- The CIPFA International Framework - Good Governance in the Public Sector
- Such other ethical or governance matters identified by the Council's Monitoring Officer [in consultation with the Chair of the Standards Committee] from time to time.

3.2 Some of the above topics could be delivered together in one Member Development session.

3.3 It is envisaged that some of the training topics will be delivered by internal Officers of the Council and others will be delivered by external training providers.

#### **4 Monitoring**

4.1 Monitoring of the effectiveness of the Councillor Training – Ethical and Governance Matters will take place by form of feedback questionnaires. The findings from the questionnaires will be analysed.

#### **5 Review**

5.1 Councillor Training Strategy – Ethical and Governance Matters will be reviewed annually.

5.2 Councillor Training – Ethical and Governance Matters will be a key component of the Councillor Induction Programme