

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, 2 December 2019 at 5:00 pm

**George Candler
Chief Executive**

AGENDA

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST
5. RECRUITMENT OF AN INDEPENDENT MEMBER CO-OPTEE TO THE STANDARDS COMMITTEE
The Standards Committee to receive a verbal update regarding the recruitment of an Independent Member Co-Optee to the Standards Committee.
6. TRAINING STRATEGY
The Standards Committee to review its updated Training Strategy for all Members of the Council in relation to ethical and governance matters and specific training for Members of the Standards Committee.
7. COMMUNICATIONS STRATEGY
The Standards Committee to review its Communication Strategy.
8. WHISTLEBLOWING POLICY
The Committee to receive an update on the effectiveness of the whistleblowing arrangements in place at Northampton Borough Council.
9. CODE OF CONDUCT ARRANGEMENTS 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.
10. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

11. 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, 30 September 2019

PRESENT: Councillor Oldham (Deputy Chair, in the Chair); Councillors Bottwood, Kilbride, B Markham, Marriott and Russell, Councillor Lewis (Co-optee – Parish Councillor), Councillor Hook (Co-optee – Parish Councillor) and Ika Castka (Co-optee- Independent)

1. APOLOGIES

An apology for absence was received from Councillor Patel (Chair).

2. MINUTES

The minutes of the meeting held on 24 June 2019 were 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. CO OPTEE (INDEPENDENT MEMBER) - VACANCY

The Chair reminded the Standards Committee that Roger Rumsey had resigned from his position as Co-Optee (Independent). He asked that a card be sent to Mr Rumsey, from the Standards Committee thanking him for all his hard work and dedication to the Committee.

The Chair then asked for a nomination to the Working Group as the previous Working Group that would interview candidates to this vacant role had comprised Councillor Zoe Smith who was now no longer a member of this Committee. Councillor Cathrine Russell was proposed to be a member of the Working Group.

RESOLVED: That the vacant post of Co-Optee (Independent Member) is advertised.

That membership of the Working Group comprises Councillors Patel, Oldham, Bottwood, B Markham and Russell.

6. MEMBER/OFFICER PROTOCOL - UPDATE

The Solicitor presented the report - Member/Officer Protocol – Update to the Committee and highlighted the salient points.

The Standards Committee asked questions, made comment and heard:

- Concern was raised regarding have a separate process in place in addition to the Code of Conduct. It was confirmed that the proposal was for a local Protocol.
- The Committee suggested that the Protocol might also be useful for the Unitary Council to present with for its consideration also.

It was proposed that the following Members are appointed to the Working Group:

Councillors Patel, Bottwood, B Markham, Russell (Marriott – substitute),
Councillor Lewis (Co-Optee – Parish Councillor) and Ika Caskra (Co Optee-
Independent)

RESOLVED: That:

- (1) The revised Protocol is noted.
- (2) A Working Group is appointed comprising Councillors Patel, Bottwood, B Markham, Russell (Marriott – substitute), Councillor Lewis (Co-optee – Parish Councillor) and Ika Castka (Co Optee- Independent)
- (3) A further report is presented to a future meeting with a view to adoption of a revised Protocol, incorporating such amendments as the Committee may consider appropriate having regard to the report of the Working Group.

7. LOCAL GOVERNMENT ETHICAL STANDARDS - COMMITTEE ON STANDARDS IN PUBLIC LIFE

The Solicitor presented the report - Local Government Ethical Standards - Committee on Standards in Public Life and highlighted the salient points.

The Committee made comment, asked questions and heard:

- The Committee welcomed the recommendations of the Committee on Standards in Public Life (CSPL)
- There would be a need for comprehensive training on Code of Conduct when the Members are elected to the Shadow Unitary Authority in May 2020.
- The Committee felt that it would be beneficial that the Working Group suggested in the report should be the same Working Group that was established at agenda item 6.

RESOLVED that:

- (1) The content of this report regarding the recommendations of the CSPL are noted;
- (2) The Working Group established at agenda item 6 will also consider the best practice recommendations of the CSPL and recommend to the Committee any improvements to the Council's ethical standards arrangements that it considers are required.

8. STATISTICS - CODE OF CONDUCT COMPLAINTS

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

The Democratic and Member Services Manager apprised the Committee of each of the complaints listed.

One of the complaints referred to a Standard Hearing and the potential date was provided to the Members. Once confirmed the date would be communicated to the Committee.

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.

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

There were none.

The meeting concluded at 5:37 pm

This page is intentionally left blank

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

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Communication 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 communicated with in ethical and governance matters to enable them to act as effective Members of the Committee.
- 1.4 Ethical and governance matters is a key aspect for all 45 Members of Northampton Borough Council.
- 1.5 It is important that all residents and stakeholders are communicated with on the standards of public life in Northampton.

2 Key Objectives of the Councillor Communication Strategy – Ethical and governance matters

- To raise the profile of Ethical and Governance Matters and the work of the Standards Committee, both internally and externally.
- To improve understanding amongst Councillors and Officers of the importance of ethical and governance matters.
- To ensure Councillors, the public and key partners are aware of Northampton Borough Council's Code of Conduct.
- To explain to the public what the Council, and the Standards Committee, does to ensure it is governing ethically.

3 Key Messages

- 3.1 The Standards Committee is an independent Advisory Committee for the Council which helps to maintain and monitor the standards of public life in Northampton.
- 3.2 Standards of public life in Northampton borough are high.
- 3.3 To communicate clear and consistent key messages highlighting the Council's commitment to being an ethical organisation by ensuring that Councillors uphold their responsibilities and conduct their business in an ethical manner.
- 3.4 To raise the profile of the role of the Standards Committee and promote the important contribution it makes to local community, reinforcing the importance of ethical and governance matters.

4 Key Information

- 4.1 Key information that is provided, includes:
 - Information regarding the role of the Standards Committee and what the Committee does not deal with
 - The membership of the Standards Committee
 - How to contact the Monitoring Officer should an individual want to submit a Code of Conduct complaint

5 Audience

- 5.1 The audience includes:
 - Residents and other stakeholders in the Borough of Northampton
 - Members of Northampton Borough Council
 - Council staff
 - External bodies
 - Local media
 - National and professional media

6 Vehicles for publicity

- 6.1 Vehicles for publicity include:
 - Press releases
 - Standards Committee webpage
 - Council wide publicity, via the Intranet
 - Residents' newsletters

6.2 Specific information about the Committee, such as the process for complaints in accordance with Northampton Borough Council's Code of Conduct, are provided on the Council's webpage.

6.3 The Work of the Committee is detailed with its annual Work Programme.

7 Review

7.1 The Councillor Communication Strategy – Ethical and Governance Matters will be reviewed annually.

This page is intentionally left blank

Appendices: 0



STANDARDS COMMITTEE REPORT

Report Title	Effectiveness of the Council's Whistleblowing Arrangements
---------------------	---

AGENDA STATUS: PUBLIC

Committee Meeting Date:	2 December 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 an update on the effectiveness of the whistleblowing arrangements in place at the Council.

2. Recommendations

- 2.1 To note the information provided in relation to the effectiveness of the Council's Whistleblowing Policy and Procedure.

3. Issues and Choices

3.1 Report Background and Issues

- 3.1.1 The Work Programme for the Standards Committee 2019/2020 states that information relating to the effectiveness of the Council's Whistleblowing Policy and Procedure would be presented to the Committee December meeting.
- 3.1.2 The Whistleblowing Policy and Procedure was approved at the meeting of the Council held on 19 June 2017. It was subject to a further review and update in March 2019. The following activities took place in 2018 and remain current:
- The Employee's Code of Conduct was updated in December 2017 and again in December 2018, this refers to the Council's whistleblowing arrangements.
 - ExpoLink are the external provider of the whistleblowing hotline. Reports can be made by using either the dedicated hotline phone number or online via this [link](#).

- A dedicated mobile phone number has been implemented and can be used by staff to report concerns internally. This phone is held by the Governance and Risk team.
- Posters setting out the contact details for ExpoLink have been placed around the Guildhall.
- A verbal update was provided at a manager's session, with those attending advised to ensure that their staff were aware of the Whistleblowing Policy and Procedure.
- Whistleblowing hotline wallet cards were also issued to all staff with their payslips in June 2018.
- An intranet post, reminding all staff of the Council's whistle blowing arrangements, is scheduled for November 2019.

3.1.3 Monthly Whistleblowing hotline summary reports are received from Expolink. For the current financial year, one call has been received and investigated.

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 This report does not have any direct legal implications.

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 None.

Francis Fernandes
Borough Secretary and Monitoring Officer

Appendices: 0



STANDARDS COMMITTEE REPORT

Report Title	STATISTICS – CODE OF CONDUCT ARRANGEMENTS COMPLAINTS
---------------------	---

AGENDA STATUS: PUBLIC

Committee Meeting Date:	2 December 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, March 2019, June 2019 and September 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 September 2019 or have been received since the September 2019 Committee papers were published.

3.1.5

a) Complaint 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).

A Hearings Panel was held on 23 July 2019 and it was resolved that:

In order to provide the subject Member with a further opportunity to attend a future Panel Hearing into the complaints against him and to consider the relevant and disclosable correspondence in relation the Investigating Officer's report the Hearing Panel resolved to adjourn the Hearing and reconvene at a later date. The subject Member to be provided with a copy of this Decision Notice.

The Hearings Panel re-convened on 18 November 2019 and it was resolved that the Hearing Panel would adjourn to a later date.

b) Complaint against a Borough Councillor

1) Complaint received on 25 March 2017

As reported to the December, March, June, September, December 2018 March, June 2019 and September 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.

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