



NORTHAMPTON
BOROUGH COUNCIL

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Standards Committee
Annual Report 2018/2019

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Message from Councillor Suresh Patel, Chair, Standards Committee

This is the second Annual Report of the Standards Committee. It has been another very busy year for the Standards Committee. In line with last year's Annual Report, instead of a complete commentary of all that the Committee has achieved over the year this Annual Report provides a summary of the key highlights of the work the Standards Committee has been engaged in during 2018/2019.

The Standards Committee continues to promote and maintain high standards of conduct.

The work of the Standards Committee includes:

- Promoting and maintaining high standards of conduct
- Assisting Councillors and Co-opted Members to observe Northampton Borough Council's Code of Conduct
- Monitoring the operation of the Code of Conduct
- Work through its Working Group (Work Plan)
- Producing and adopting a Training Strategy – Ethical and Governance Matters- Ethical Governance, Whistle Blowing and Complaints Handling

I would like to thank everyone for their endeavour to uphold these standards. My thanks are particularly extended to the Independent Persons for their input into Code of Conduct complaints. I would like to thank also, our co-optees for the input they have provided into the meetings of the Standards Committee.

I would like to thank also the Monitoring Officer, the Solicitor and the Democratic and Member Services Manager for their support and assistance.



Councillor Suresh Patel
Chair, Standards Committee

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Introduction

The Council has a duty to promote and maintain high standards of conduct by Members and Co-opted Members and the Council aims to have the highest possible ethical standards in place across the Council.

Membership of the Standards Committee 2018/2019

The Standards Committee comprises 9 Borough Councillor Members, 2 Parish Council Co opted Members and 2 Independent Co-opted Members (of which there is currently one vacancy):

Borough Councillors

Councillor Suresh Patel (Chair)

Councillor Brian Oldham (Deputy Chair)

Councillors Alan Bottwood, Andrew Kilbride, Brian Markham, Les Marriott, Nilesh Parekh, Terrie Eales and Cathrine Russell

Co-optees – Parish Councillors

Councillor Linda Hook

Councillor David Lewis

Co-optees – Independent Members

Roger Rumsey

One vacancy

Independent Persons

Under the Localism Act 2011, the Council was required to appoint one or more Independent Persons to assist in the Standards process. The functions of the Independent Persons are:

- they must be consulted by the authority and their views taken into account before the authority makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that member. (This means that their views must be sought on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any local resolution of the complaint, or on any finding of breach and on any decision on action as a result of that finding);
- they may be consulted by the authority in respect of a standards complaint at any other stage; and
- they may be consulted by a member or co-opted member of the Borough Council or of a Parish Council against whom a complaint has been made.

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In June 2013 the Council appointed the following Independent Persons:

Peter Glover. Prior to retiring in 2010, Peter Glover had a thirty year career with Northamptonshire Police Force during which time he gained experience of dealing with a variety of public bodies. As a senior police officer, Peter Glover gained extensive experience of undertaking disciplinary procedures and interpreting law and policy guidelines.

Alan Haynes. Alan Haynes qualified as a Chartered Engineer and had various roles in the railway industry, including roles associated with Health and Safety. Alan Haynes retired in 2006 and since 2010 has been the Northamptonshire Chair of the Independent Panel for Councillors' Allowances (the "IPCA"). In addition to the direct experience of local authorities gained through sitting on the IPCA, Alan Haynes encountered a variety of different public bodies in the course of his career in the railway industry.

During 2018/2019 the Independent Persons have been involved in 10 of the 15 cases.

Code of Conduct

Complaints about councillors are dealt with as part of the Council's standards process.

This Council's arrangements for dealing with complaints against councillors also apply to complaints made about Parish Councillors within the borough of Northampton.

Each Parish Council is responsible for adopting a Code of Conduct for its Parish Councillors. If you wish to view a Parish Council's Code of Conduct, you should inspect any website operated by the Parish Council and request the Parish Clerk to allow you to inspect the Parish Council's Code of Conduct.

Code of Conduct Complaints

Since the first Annual Report of the Standards Committee 2017/2018 was published on 19 March 2018, during 2018/2019, the number of complaints regarding alleged breaches of the Code of Conduct were as follows:

Complaints against Parish Councillors

Complaint received on 6 March 2018

The complaint was received on 6 March 2018 and was referred for investigation. The Solicitor, on behalf of the Monitoring Officer, consulted with the Independent Person on 24 July 2018 to consider the Investigator's report and concluded there would be no further action based on the case presented in the Investigator's report. The file was therefore closed.

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Complaint received on 11 May 2018

The complaint was received on 11 May 2018. Pre-assessment determined that the complaint was out of scope and the file was closed on 29 May 2018.

Complaint received on 29 May 2018

The complaint was received on 29 May 2019. 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 was 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.

Complaint received on 22 September 2018

The complaint was received on 22 September 2018. This file is closed.

The determination of the initial assessment of the complaint was that the Subject Member should apologise to the complainant and attend a relevant training course.

Complaints against Northampton Borough Councillors

Complaint received on 25 April 2017

As reported in the Standards Annual Report 2017/2018, 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.

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Complaint received on 6 March 2018

A complaint was received against all Councillors. Pre-assessment determined that the complaint was out of scope and the file was closed on 29 March 2018.

Two complaints received on 14 May 2018

Two complaints about the same Councillor were received on 14 May 2018 and the initial assessments of the complaints are scheduled for 5 June 2018. The determination of the initial assessment that there is to be an alternative form of resolution. A meeting was recommended to be held between the complainant and the subject member. This meeting took place early in 2019 and the file is now closed.

Complaint received on 5 June 2018

A complaint was received on 5 June 2018. Pre-assessment determined that the complaint was out of scope and the file was closed on 5 June 2018.

Complaint received on 28 August 2018

A complaint about a Borough Councillor was received on 28 August 2018. Pre-assessment determined that as the Councillor had provided a response to the complainant the file was closed. The file was closed on 14 September 2018.

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

Four complaints about the same Borough Councillor were received on 11 February (2), 27 February 2019 and 11 March. An initial assessment of the complaints is scheduled for end of March 2019.

Complaint received on 11 March 2019

A complaint about a Borough Councillor was received on 28 August 2018. Pre-assessment determined that as the Councillor had provided a response to the complainant the file was closed. The file was closed on 6 April 2019

Work of the Standards Committee during 2018/2019

During the year the Standards Committee has met four times. Its work consisted of:

- Approval of the second Work Plan of the Standards Committee
- Approval of the second Annual Report of the Standards Committee
- Approval of the updated Training Strategy for the Standards Committee
- Approval of the updated Communication Strategy for the Standards Committee
- To action items on the Work Plan
- Review of the Whistleblowing Policy

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- Approval of the Work Plan for the Committee for 2019/2020

Training and Development

In accordance with its Training Strategy – Ethical and Governance Standards; training regarding:

Code of Conduct

Declaration of Interest

Declaration of Gifts and Hospitality

The session was delivered by an external training facilitator and was very well attended. A number of Parish Councillors were also in attendance.

In accordance with issues listed on the Training Strategy, further sessions are planned for the year 2019/2020.

Future Activity

The Work Plan for 2019/2020 will be considered by the Standards Committee at its June 2019 meeting. It will include standing annual items but will evolve as necessary during the year; taking into account any developing issues pertaining to standards.

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Haddii afka Ingriisigu aanu ahayn luuqad-daada kowaad oo aad u baahan-tahay in lagaa caawiyo turjumidda warqaddan fadlan kala xidhidh Tracy Tiff tilifoonka 01604 837408

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