

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Monday, 29 June 2020

PRESENT: Councillor Patel (Chair); Councillor Oldham (Deputy Chair); Councillors Bottwood, B Markham, Marriott, Parekh and Russell and Parish Councillor Hook (Co-Optee), Parish Councillor Lewis (Co Optee), I Castkra (Co Optee) and R Mehaffy (Co-Optee)

1. APOLOGIES

There were none.

2. MINUTES

Subject to Councillor Oldham being removed from the list of attendees, the minutes of the meeting held on 2 December 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. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

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

The Deputy Monitoring Officer advised that the Standards Committee had met in January 2020 and had considered the recommendations of the Committee on Standards in Public Life in detail. The Working Group supported all of these 25 recommendations.

The Democratic and Member Services Manager advised that notification had been received by the Local Government Association that that the Committee's comments on the draft Model Code of Conduct had been received.

The Committee made comment, asked questions and heard:

- The recommendations were supported by the Committee
- Concern was raised regarding the recommendation that Councillor's addresses are not published. It was recognised that this was around safety issues.
- It was suggested that it is recommended to the Standards Committee of the West Northants Unitary Authority that it considers the recommendations of the Committee on Standards in Public Life.
- Councillors should be clearly visible during remote meetings, having their camera on at all times.

RESOLVED:

It was resolved that:

- (1) The Committee supports the 25 recommendations of the Committee on Standards in Public Life.
- (2) When published, the draft Member Code of Conduct, as produced by the Local Government Association, is presented to the Standards Committee for consideration.
- (3) It is recommended to the West Northamptonshire Unitary Authority that when published, the draft Member Code of Conduct, as produced by the Local Government Association, is presented to its Standards Committee for consideration.

7. INTERNAL AUDIT REPORT: MEMBER-OFFICER RELATIONSHIP REVIEW

The Deputy Monitoring Officer presented the report and highlighted the salient points. It was particularly highlighted:

- As set in previous reports in relation to the Protocol, action may only be taken against a Member where they are alleged to have breached the Code of Conduct adopted by the Council under the provisions of Part 1 of the Localism Act 2011. When such a complaint is made it must be 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 are contained in the Constitution for the purpose of implementing those provisions of the Localism Act 2011.
- Case law in 2018 has made clear that it is not permissible to have a 'dual system' of considering allegations against Members by using an authority's grievance procedure and, should such a course of action be taken, it will not bind the Member concerned.
- Accordingly, Committee should note that action may only be taken against a Member in relation to any alleged breach of any revised Protocol if the allegation concerned would also be a breach of the Council's Code of Conduct.

The Committee commented:

- The realised there could not be two conflicting Codes of Conduct
- There is need to be mindful of the time that NBC has left prior to Unitary Council
- It was suggested that this report is not considered by both the Constitutional Working Group and full Council but just full Council.
- No additional comments were made by the Committee on the draft Member/Officer Protocol

RESOLVED:

It was resolved that:

- (1) The work undertaken by the Member and Officer Working Group was noted.
- (2) Having considered the comments of the Working Group it was agreed, to recommend the Protocol to full Council for adoption into the Constitution.

8. STANDARDS COMMITTEE ANNUAL REPORT 2019/2020

The Chair presented the Standards Committee Annual Report 2019/2020 and thanked the Committee and Officers for all the work that they had undertaken over the past year.

The Committee supported the publication of the Standards Committee Annual Report 2019/2020.

RESOLVED:

It was resolved that:

The Standards Committee Annual Report 2019/2020 is approved and published on the Councils webpage.

9. CODE OF CONDUCT ARRANGEMENT COMPLAINTS

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

In response to a query, the Deputy Monitoring Officer advised that due to the nature of some of the complaints. The timeframe for resolution of complaints can take some time.

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.

The meeting concluded at 17:20 hours