

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT

2013/14

This report represents the second annual report of the Standards Committee under the Council's revised Standards regime following the Localism Act 2011 and covers the period 1 July 2013 to 30 June 2014.

Membership

The Council determined that a Committee comprising seven elected members and one non-voting co-opted member should be established to oversee its Standards arrangements. In addition, both Independent Persons would be invited to attend each Committee. Accordingly the following served on the Committee from 1 July 2013 to the end of the municipal year 2013 and were re-appointed for the municipal year 2014:

Councillor Neil Poole (Conservative) (Chairman)
Councillor John England (Conservative) (Vice – Chairman)
Councillor Peter Clark (Conservative)
Councillor David Wells (Conservative)
Councillor Andrea Davison (Labour)
Councillor Steve Swift (Labour)
Councillor Christine O'Sullivan (Labour)
Mr Wayne Harvie (non-voting co-opted Member)

Role of Committee

The main role of the Standards Committee is to promote and maintain high standards of conduct, to set an example to other bodies it works with and to the community at large. The Standards Committee will promote, educate and support members in following the highest standards of conduct and ensuring that those standards are fully owned locally.

The role is not just about enforcing the Code it is also about relationships both internally between members and staff and externally with the public and other stakeholders.

Under the Council's revised Arrangements, the Committee convenes, as appropriate, sub committees in the form of Assessment Panels to consider complaints and Hearings Panels to determine complaints that have been investigated.

Under the revised Standards regime the Council retains responsibility for receiving and determining complaints against Town and Parish Council members.

Terms of Reference

- (a) Promoting and maintaining high standards of conduct by members and co-opted members as defined under section 27 of the Localism Act 2011 ('Act').
- (b) Assisting members and co-opted members to observe the Code of Conduct adopted by the Council pursuant to section 28 of the Act.
- (c) Advising the Council on the amendment or revision of the Code of Conduct and the appointment or removal of the Independent Person/s.
- (d) Monitoring the operation of the Code of Conduct and the 'Arrangements' and making appropriate revisions to the 'Arrangements' as considered necessary.
- (e) Advising, training or arranging to train members, co-opted members and Independent Person/s on matters relating to the Code of Conduct and the Arrangements.
- (f) Granting dispensations to members and co-opted members pursuant to the provisions of section 33 (b), (c) and (e) of the Act and on such other grounds as referred by the Monitoring Officer.
- (g) Dealing with any referrals as considered appropriate by the Monitoring Officer and to receive regular reports from the Monitoring Officer on the discharge of any delegations afforded to that position.
- (h) To consider any complaints relating to an alleged breach of the Code of Conduct in accordance with the 'Arrangements' and to convene, as appropriate, sub-committees ('Assessment Panels') to consider such matters.
- (i) To make determinations in respect of complaints that members and co-opted members of the Council and Parish and Town Councils in the area may have breached the Code of Conduct and to convene, as appropriate, sub-committees ('Hearings Panels') to consider such matters and to impose, or recommend the imposition of, the sanctions detailed in the 'Arrangements'.
- (j) To deal with the grant of exemptions from political restriction in respect of any post holder and give directions on any post to be included in the list of politically restricted posts maintained by the authority.

Additional to these core functions the Standards Committee receives the Annual Report of the Local Government Ombudsman and passes comment on revisions to

the locally adopted Employees Code of Conduct/Code relating to the declaration of interests, hospitality and gifts and good practice rules for Planning and Licensing Committees.

Code of Conduct

Under its revised regime the Council developed and adopted its own locally based Code of Conduct which is compliant with the Nolan principles and incorporated the statutory requirements concerning Disclosable Pecuniary Interests. Although free to adopt their own Codes of Conduct, all of the Town and Parish Councils in the area elected to adopt the Council's Code of Conduct which it is hoped will encourage uniform and consistent application across the area.

Complaints

All work on complaints associated with the old Standards regime (pre- Localism Act 2011) was complete.

During the period covered by this report 23 new complaints were received involving members.

Five complaints related to members of North Lincolnshire Council were considered by an Assessment Panel. None of these were referred for investigation.

18 complaints related to members of Town and Parish Council (two parish councillors and 16 town councillors). All but four, which were resolved informally by the Monitoring Officer, were considered by an Assessment Panel. Three were referred for investigation (the report on the findings of the joint investigation relating to these three town councillors is almost complete).

No complaints had been referred for external assessment.

The complaints related to a wide range of alleged breaches of the Code of Conduct including failure to treat with respect and courtesy; bullying or intimidation, disrepute, using their position as a member to improperly confer an advantage, compromising the impartiality of officers and failure to declare interests.

During the period ongoing investigations into five complaints which had been assessed and referred for investigation in 2012/13, had been completed. Four of these complaints were found not to have amounted to breaches of the Code of Conduct. One parish councillor was found to have breached the Code of Conduct at a meeting of the Standards Committee's Hearing Panel and its findings published in the local media and on the council's website.

Local Government Ombudsman summary report of statistics

The Local Government Ombudsman changed its business processes last year and as such was only able to provide limited information concerning the number of complaints made against local authorities.

To the year end 31 March 2013 10 complaints had been made against the Council. This compared favourably with the average number against other Unitary Authorities of 36 complaints. The usual more detailed information was not available for this period although the Local Government Ombudsman hopes to be able to provide more detailed analysis for the year 2013/14 when reported in July 2014.

Other Issues

Last year's first annual report was provided to all Town and Parish Councils and was the subject of two training sessions provided by the Monitoring Officer for Town and Parish clerks over 7 and 10 February 2014. In addition to providing analysis on the volume and nature of complaints received an update on standards developments was also given. Both sessions were well attended and it has been agreed that this training will be provided annually.

The Monitoring Officer continues to meet on a quarterly basis with the Monitoring Officer of North East Lincolnshire Council, the East Riding and Northern Lincolnshire Local Council's Association (ERNLLCA) and Mr J Goolden (Independent person for both Councils) to review existing practice and keep abreast of developments in the ex-Humber sub region.

The Council is also a member of the Standards Exchange a specialist website set up by ex-Standards for England investigators as a platform to share good practice and keep updated on national standards related developments.

Will Bell
Monitoring Officer
June 2014