

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

STANDARDS COMMITTEE - ANNUAL REPORT 2017/2018

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To receive the annual report of the Standards Committee under the Council's standards regime for the period 1st July 2017 to 30 June 2018.

2. BACKGROUND INFORMATION

- 2.1 This report attaches as an appendix the sixth annual report of the Standards Committee under its standards regime and associated published Standards Arrangements following the Localism Act 2011. The report covers the period 1 July 2017 to 30 June 2018 and details the work and activities of the Standards Committee throughout that time.
- 2.2 The report is presented to Council in accordance with the requirements of the Council's Annual Governance Statement.
- 2.3 The report was approved by the Standards Committee at its meeting on 11 July 2018 with a request that the Monitoring Officer provide a copy to all Town and Parish Councils in the area.
- 2.4 Following receipt of this report by Council, the Monitoring Officer will provide the annual training sessions to town and parish members using the report to inform the itinerary.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are no options associated with this report.

4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

4.1 There are no resource implications associated with this report.

5. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

5.1 No integrated impact assessment is required for this report given its nature.

6. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

6.1 The Standards Committee approved the report at its meeting on 11 July 2018 and requested that a copy be provided to all Town and Parish Councils in the area. This has been attended to and no comments have been received.

7. RECOMMENDATIONS

7.1 That the report of the Standards Committee for the period 1 July 2017 to 30 June 2018 be received.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

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Date: 3 September 2018

Background Papers used in the preparation of this report: Annual Report of the North Lincolnshire Council's Standards Committee 2017/2018.

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT

2017/18

This report represents the sixth annual report of the Standards Committee under the Council's Standards regime following the Localism Act 2011 and covers the period 1 July 2017 to 30 June 2018.

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 May 2017 to the end of the municipal year 2018.

Councillor Neil Poole (Conservative) (Chairman)
Councillor John England (Conservative) (Vice – Chairman)
Councillor Trevor Foster (Conservative)
Councillor David Wells (Conservative)
Councillor Susan Godfrey (Labour)
Councillor John Collinson (Labour)
Councillor Christine O'Sullivan (Labour)
Mr Wayne Harvie (non-voting co-opted Member)

Role of Committee

The main role of the Standards Committee was 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 would promote, educate and support members in following the highest standards of conduct and ensuring that those standards are fully owned locally.

The role was not just about enforcing the Code of Conduct, but was also about ensuring effective working relationships both internally between members and staff and externally with the public and other stakeholders.

Under the Council's Standards Arrangements, the committee convened, as appropriate, sub-committees in the form of Assessment Panels to consider complaints and Hearings Panels to determine complaints that have been investigated.

The Standards Arrangements also enabled the Council to retain 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 received the Annual Report of the Local Government and Social Care Ombudsman.

Code of Conduct

Under its Standards Arrangements, the Council had developed and adopted its own locally based Code of Conduct, which is compliant with the Nolan principles and had 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 had elected to adopt the Council's Code of Conduct, which was encouraging uniform and consistent application across the area.

Complaints

During the period covered by this report (1 July 2017 to 30 June 2018) 12 new complaints were received involving members, compared to 17 received in 2016/17, and 22 in 2015/16.

Of the above 12 complaints, 10 were considered by an Assessment Panel and one complaint was determined by the Monitoring Officer, following consultation with the Independent Person. One further complaint was in the process of being assessed. There were no Hearings Panels in 2017/18.

Eight of the 12 complaints related to members of Parish Councils with the remaining four complaints being made against members of North Lincolnshire Council. Five of the 12 complaints received related to members of a single Parish Council.

Three complaints related to more than one individual, whereas the remaining nine complaints received throughout 2017/18 related to an individual. Each of the 11 complaints considered by an Assessment Panel or the Monitoring Officer decided that no further action be taken.

No complaints had been referred for external assessment or investigation.

The complaints related to a wide range of alleged breaches of the Code of Conduct usually 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.

Other Issues

Last year's annual report was, once again, provided to all Town and Parish Councils and was referred to in the associated Standards Arrangements and Code of Conduct training provided for clerks, newly elected/co-opted and other town and parish councillors at sessions provided by the Monitoring Officer on 30 November and 5 December 2017. Sessions were very well attended and received, and similar training will be provided towards the end of this year. There is emerging evidence that this proactive approach is reducing the number of complaints received every year.

Throughout 2017/18, the Standards Committee responded to consultations on the Disqualification Criteria for Local Authority Members and on Local Government Ethical Standards, and also discussed the implications of the annual letter from the Local Government and Social Care Ombudsman. The Committee also considered a report conducted by the Committee on Standards in Public Life on Intimidation in Public Life. This report had been commissioned by the Prime Minister following the parliamentary election in 2017 when many candidates expressed concerns over the level of abuse and intimidation they had suffered during the campaign. A number of recommendations from within the report have been actioned and incorporated into the Council's Standards Arrangements.

The Monitoring Officer continued to meet regularly with the Monitoring Officer of North East Lincolnshire Council, and also the East Riding and Northern Lincolnshire Local Councils Association (ERNLLCA) and Mr J Goolden and Mr R Johnson (Independent Persons) to review existing practice and keep abreast of national and regional developments.

The Council also continues to be 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
July 2018