

**NORTH LINCOLNSHIRE COUNCIL**

**COUNCIL**

**STANDARDS COMMITTEE - ANNUAL REPORT 2018/2019**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To receive the annual report of the Standards Committee under the Council's Standards Arrangements for the period 1<sup>st</sup> July 2018 to 30 June 2019.

**2. BACKGROUND INFORMATION**

- 2.1 This report attaches as an appendix the seventh annual report of the Standards Committee under its Standards Arrangements pursuant to the Localism Act 2011. The report covers the period 1 July 2018 to 30 June 2019 and details the work and activities of the Standards Committee throughout that time.
- 2.2 The Standards Committee approved the report at its meeting on 26 June 2019 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. It is for Council to receive the report from the Standards Committee.

**4. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

- 4.1 There are no resource implications arising from this report.

**5. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

5.1 This report contributes to the Council's Annual Governance Statement and follows best practice recommended by the Committee on Standards in Public Life.

**6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

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

**7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

7.1 The Standards Committee approved the report at its meeting on 26 June 2019 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.

7.2 No conflicts of interest have been identified or declared arising from this report.

**8. RECOMMENDATIONS**

8.1 That the report of the Standards Committee for the period 1 July 2018 to 30 June 2019 be received.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

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Date: 19 August 2019

**Background Papers used in the preparation of this report:** Annual Report of the North Lincolnshire Council's Standards Committee 2018/2019.

# **NORTH LINCOLNSHIRE COUNCIL**

## **STANDARDS COMMITTEE**

### **ANNUAL REPORT**

**2018/19**

This report represents the seventh annual report of the Standards Committee under the Council's Standards regime following the Localism Act 2011 and covers the period 1 July 2018 to 30 June 2019.

#### **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 2018 to the end of the municipal year 2019.

Councillor Neil Poole (Conservative) (Chairman)  
Councillor John England (Conservative) (Vice – Chairman)  
Councillor John Collinson (Labour)  
Councillor Trevor Foster (Conservative)  
Councillor David Wells (Conservative)  
Councillor Susan Godfrey (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, and to set an example to other bodies it works with and to the community at large. The Standards Committee promotes, educates and supports members in following the highest standards of conduct and ensuring that those standards are fully owned locally.

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

Under the Council's Standards Arrangements, the committee convened a number of 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.

## **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 2018 to 30 June 2019) 29 new complaints were received involving members, compared to 12 received in 2017/18, and 17 in 2016/17.

Of the above 29 complaints, 19 were considered by an Assessment Panel and four complaints were determined by the Monitoring Officer, following consultation with the Independent Person. Three of the complaints considered by an Assessment Panel were deferred in order to seek further information and were subsequently reconsidered. Three complaints were withdrawn. Four further complaints, were in the process of being assessed. There were no Hearings Panels in 2018/19.

Twenty of the 29 complaints related to members of Parish Councils with the remaining 9 complaints being made against members of North Lincolnshire Council. Six of the 29 complaints received related to members of a single Parish Council, with five complaints related to another.

Nine complaints related to more than one individual, whereas the remaining twenty complaints received throughout 2017/18 related to an individual. Of the twenty three complaints considered by an Assessment Panel or the Monitoring Officer three were deferred and subsequently reconsidered, two requested that councillors make formal apologies to the complainant, and thirteen decided that no further action be taken. The remaining complaints were dealt with by other measures.

Two 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.

Discussions are underway on how to address the notable increase in standards complaints throughout 2018/19 by promoting professional behaviour at each council, training and informal support for Chairs and clerks, and potentially strengthening safeguards against repeated or vexatious complaints.

## **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 27 November and 4 December 2018. Sessions were very well attended and received, and similar training will be provided towards the end of this year.

Throughout 2017/18, the Standards Committee considered a report arising from work undertaken by the Committee on Standards in Public Life on Local government Ethical Standards. This report made a number of recommendations to various bodies to improve standards, and also highlighted examples of good practice from across the country. The Standards Committee discussed a small number of potential changes to local arrangements and the Code of Conduct, particularly to address national concerns about bullying and harassment. Consequential changes to the Code of Conduct are to be reported to full Council in September 2019. The Committee also discussed the implications of the annual letter from the Local Government and Social Care Ombudsman.

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. In early 2019, Mr Goolden kindly hosted a comprehensive training session for council staff from across the Humber area on the Committee on Standards in Public Life's work and the above report. Mr Goolden retired from his position at the Annual General Meeting and arrangements are in hand for a successor to be appointed.

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  
June 2019