

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

STANDARDS COMMITTEE - ANNUAL REPORT 2019/2020

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 1st July 2019 to 30 June 2020.

2. BACKGROUND INFORMATION

- 2.1 This report attaches as an appendix the eighth annual report of the Standards Committee under its Standards Arrangements pursuant to the Localism Act 2011. The report covers the period 1 July 2019 to 30 June 2020 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 9 July 2020 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. ANALYSIS OF OPTIONS

- 4.1 There are no options associated with this report.

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

5.1 There are no resource implications arising from this report.

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

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

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

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

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The Standards Committee approved the report at its meeting on 9 July 2020 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.

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

9. RECOMMENDATIONS

9.1 That the report of the Standards Committee for the period 1 July 2019 to 30 June 2020 be received.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

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Date: September 2020

Background Papers used in the preparation of this report: Annual Report of the North Lincolnshire Council's Standards Committee 2019/2020.

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT

2019/20

This report represents the eighth annual report of the Standards Committee under the Council's Standards regime following the Localism Act 2011 and covers the period 1 July 2019 to 30 June 2020.

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, the three Independent Persons would be invited to attend each Committee. Accordingly, the following served on the Committee from May 2019 to the end of the municipal year 2020.

Councillor Neil Poole (Conservative) (Chairman)
Councillor John England (Conservative) (Vice – Chairman)
Councillor Sandra Bainbridge (Labour)
Councillor David Wells (Conservative)
Councillor Lorraine Yeadon (Labour)
Councillor Christine O'Sullivan (Labour)
Sue Wroe (non-voting co-opted Member)

Councillor Ivan Glover and Mr Wayne Harvie (non-voting, co-opted member) also served on the Committee in 2019/20

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 may convene sub-committees in the form of Assessment Panels to consider complaints, and Hearings Panels to determine complaints that have been investigated.

The Standards Arrangements enable the Council to retain responsibility for receiving and determining complaints against both North Lincolnshire Council members and 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 2019 to 30 June 2020) 8 new complaints were received involving members, compared to 29 received in 2018/19, and 12 in 2017/18.

Of the above 8 complaints, five complaints were determined by the Monitoring Officer, following consultation with the Independent Person. Three complaints were in the process of being assessed. There was one Assessment Panel and no Hearings Panels in 2019/20.

Six of the 8 complaints related to members of Town or Parish Councils with the remaining 2 complaints being made against members of North Lincolnshire Council. Two of the 8 complaints received related to members of a single Parish Council, with the remaining 4 complaints related to various individual Town or Parish Councils.

Only one complaint related to more than one individual, whereas the remaining 7 complaints received throughout 2019/20 related to an individual.

Of the 4 complaints considered by an Assessment Panel in 2019/20, no further action was taken on 3 and 1 was referred for investigation. However, all 4 of these complaints were submitted in the previous municipal year. Of the 5 complaints assessed by the Monitoring Officer, in consultation with the Independent Person, no further action was taken on 2, mediation was recommended on 2, and one was referred for 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.

There has been a marked reduction of complaints received in 2019/20, with 8 complaints received compared to 29 complaints received in 2018/19. It appears that actions to promote professional behaviour at each council, training and informal support for Chairs and clerks, and strengthening safeguards against repeated or vexatious complaints were successful.

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 28 November and 4 December 2019. Sessions were very well attended and received, and similar training will be provided towards the end of this year.

Throughout 2019/20, the Standards Committee conducted a robust recruitment exercise for new Independent Persons, and was successful in appointing two new Independent Persons namely, Mr Wayne Harvie and Mr Tony Forbes, and re-appointed Mr Richard Johnson. There is now a pool of three excellent, experienced individuals who act as impartial figures to inform, influence and support local decisions. These appointments were subsequently approved by council as was the appointment of Ms Sue Wroe, as a co-opted, non-voting member of the Standards Committee.

The Standards Committee also agreed to extend the dispensation for elected members involved in the steel industry to enable them to continue to participate in discussions involving this critical industry to North Lincolnshire.

The Monitoring Officer continued to meet regularly with the Monitoring Officer of North East Lincolnshire Council, and hold discussions with the East Riding and Northern Lincolnshire Local Councils Association (ERNLLCA). Meetings have also taken place with the three Independent Persons to review existing practice and keep abreast of national and regional developments.

The Independent Persons attended a workshop in Lincoln in March 2020 to discuss anticipated changes to the model Code of Conduct. These forthcoming changes are currently open for consultation and it is likely that the Standards Committee will focus closely on this throughout 2020/21. All Town and Parish Councils have been informed of the consultation and will be kept informed and involved.

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 2020