

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT

2016/17

This report represents the fifth annual report of the Standards Committee under the Council's Standards regime following the Localism Act 2011 and covers the period 1 July 2016 to 30 June 2017.

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 2016 to the end of the municipal year 2017.

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 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 Standards 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.

The Standards Arrangements also enable 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 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 Standards Arrangements the Council has developed and adopted its own locally based Code of Conduct which is compliant with the Nolan principles and has 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 have elected to adopt the Council's Code of Conduct which is encouraging uniform and consistent application across the area.

Complaints

During the period covered by this report 17 new complaints were received involving members, compared to 22 received last year. Eleven of the 17 complaints received related to members of a single Parish Council.

Two complaints relating to members of North Lincolnshire Council, and 7 complaints relating to members of Town and Parish Councils were considered by an Assessment Panel. Three complaints were determined by the Monitoring Officer. Five further complaints are scheduled to be heard by an Assessment Panel in due course.

Fifteen of the 17 complaints relate to members of Town and Parish Councils (14 Parish Councils and one Town Council). Three complaints (one assessed, and two still due to be heard by an Assessment Panel) relate to more than one individual, whereas the remaining 14 complaints received throughout 2016/17 relate to an individual. Of the 12 complaints considered by an Assessment Panel or the Monitoring Officer, 3 were referred for investigation and one complaint has been sent for mediation.

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 associated further Standards Arrangements and Code of Conduct training provided for clerks, newly elected/coopted and other town and parish councillors at sessions provided by the Monitoring Officer on 23 and 30 November 2016. Sessions were well attended and received, and similar future training will be provided on an annual basis.

In January 2017, the Standards Committee approved a mediation scheme and related changes to the Standards Arrangements, recognising that some complaints may be better suited to being mediated rather than investigated. Mediation is now

an option available to the Committee (and an Assessment Panel) in order to seek local resolution.

The Monitoring Officer continues 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 Monitoring Officer was invited to speak at a national conference for Monitoring Officers in London on 4 July, 2017 concerning the Council's Code of Conduct and the Arrangements the Council has in place to deal with complaints.

The Council 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 2017