

# Public Document Pack

## NORTH LINCOLNSHIRE COUNCIL

### STANDARDS COMMITTEE

17 March 2021

**Chairman:** Councillor Neil Poole

**Venue:** Via MS Teams

**Time:** 2.00 pm

**E-Mail Address:**

### AGENDA

1. Substitutions (if any)
2. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial Interests.
3. To take the minutes of the meeting of the Standards Committee held on 20 January 2021 (enclosed) as a correct record and authorise the chairman to sign. (Pages 1 - 2)
4. Model Councillor Code of Conduct (Pages 3 - 6)
5. Standards Training Session - feedback
6. Complaints Schedule - Update. (Pages 7 - 12)
7. Any other items which the Chairman decides are urgent by reason of special circumstances which must be specified.

**Note: Reports are by the Director: Governance & Partnerships unless otherwise stated.**

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## NORTH LINCOLNSHIRE COUNCIL

### STANDARDS COMMITTEE

20 January 2021

**PRESENT:** - Councillor Poole (in the Chair).

Councillors, Bainbridge, England, L Foster, O’Sullivan, and Wells.

Co-opted member - Ms S Wroe

Mr T Forbes and Mr R Johnson – Independent Persons

The committee met via MS Teams

328 **DECLARATIONS OF DISCLOSABLE PECUNIARY, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations made at the meeting.

329 **MINUTES - Resolved** – That the minutes of minutes of the meeting of the Standards Committee held on 11 November 2020, the Standards Committee – Hearings Panel held on 11 November 2020, and the minutes of the Standards Committee – Assessment Panel held on 11 November 2020 and 15 December 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

330 **MODEL COUNCILLOR CODE OF CONDUCT** - The Director: Governance and Partnerships submitted a report informing the Standards Committee of the agreement by the Local Government Association (LGA) of the Model Councillor Code of Conduct

The Monitoring Officer explained that The Committee on Standards in Public Life published their report ‘Local Government Ethical Standards’ in January 2019. As part of its conclusions the Committee recommended that “The LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.”

The LGA began work on drafting a model Code of Conduct in 2019, consulting on this in mid-2020. The Standards Committee submitted its views as part of this work, and all town and parish councils within North Lincolnshire were encouraged to also consider and respond to the consultation.

The LGA had now published their finalised Model Councillor Code of Conduct, and the Monitoring Officer described in detail where the Model differed from, or was similar to, the existing North Lincolnshire Code. The Monitoring Officer explained that it was anticipated that the LGA intended to prepare and publish a number of guidance documents, and also a summary of the consultation responses. These documents will be important in understanding and interpreting the implications of the new Code.

**STANDARDS COMMITTEE**  
**20 January 2021**

The Chairman led a discussion on the Model Councillor Code, expressing confidence in the existing version in use within North Lincolnshire, but being open to the potential for improving it further. Members expressed their opinions and asked questions of the Monitoring Officer, including on the introduction of a duty to report complaints, the proposed financial requirements to declare interests, and concerns around changing the wording of the types of interest.

The Monitoring Officer confirmed that any changes to the Code would need to be agreed by Council.

**Resolved** – That further work be undertaken to consider the implications of adopting the new Model Code, or using some of its provisions to improve the existing Code; (b) that the Monitoring Officer seek the views of his peers and other professionals working in this field, and (c) that a further report be submitted to the March meeting of the Standards Committee.

- 331 **STANDARDS TRAINING – UPDATE** – The Monitoring Officer confirmed that an online training session for town and parish councillors and clerks would be delivered on 4 March 2021. This session would be recorded and made accessible for all councillors and clerks at any time. The training would be prioritised for new councillors and staff, or those with particular questions or concerns.

**Resolved** - That the update be noted.

- 332 **COMPLAINTS SCHEDULE** - The Director: Governance and Partnerships submitted a report updating the committee on progress made with complaints received.

The Monitoring Officer updated members on the complaints schedule, confirming that a Hearings Panel and an Assessment Panel were likely to be convened in the coming weeks.

**Resolved** - That the report be noted.

## **NORTH LINCOLNSHIRE COUNCIL**

### **STANDARDS COMMITTEE**

#### **Model Councillor Code of Conduct**

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

- 1.1 To update the Standards Committee on the Local Government Association (LGA) Model Councillor Code of Conduct and subsequent guidance and consultation responses, and to consider the Committee's next steps.

#### **2. BACKGROUND INFORMATION**

- 2.1 The Committee on Standards in Public Life published their report 'Local Government Ethical Standards' in January 2019. As part of its conclusions the Committee recommended that "The LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government."
- 2.2 The LGA began work on drafting a model Code of Conduct in 2019, consulting on this in mid-2020. The Standards Committee submitted its views as part of this work, and all town and parish councils within North Lincolnshire were encouraged to also consider and respond to the consultation.
- 2.3 The LGA published the Model Code of Conduct in December 2020, and proposed preparing and publishing a number of guidance documents, and also a summary of the consultation responses. These documents would be important in understanding and interpreting the implications of the new Code. This work is still underway by the LGA.
- 2.4 The Monitoring Officer has benchmarked with other councils and specialists through existing networks in order to gain the views of others. As the associated guidance remains outstanding, the great majority appear not yet to have recommended changes to their local arrangements.

### **3. OPTIONS FOR CONSIDERATION**

- 3.1 To note that the accompanying guidance related to the published LGA Model Councillor Code of Conduct remains outstanding, and to consider the Committee's next steps.

### **4. ANALYSIS OF OPTIONS**

- 4.1 Many of the provisions within the LGA Model Councillor Code of Conduct are aligned with the Council's current Code of Conduct. The further guidance that will be published is likely to provide clarity and enable comparison and informal benchmarking between Monitoring Officers.
- 4.2 The situation remains that the further guidance will enable more informed consideration before the Committee considers whether to recommend adoption of the LGA Model Councillor Code of Conduct. A further report could be submitted to a future meeting of the Standards Committee following publication.

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

- 5.1 There are no significant financial implications or resource implications arising from this report.
- 5.2 Any recommendation to adopt the LGA Model Councillor Code of Conduct would require the approval of full Council. It would be a matter for each town and parish council to determine whether it adopted the LGA Model Councillor Code of Conduct.

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

- 6.1 Ensuring robust governance arrangements and the highest standards of ethical behaviour by elected members are key considerations. These issues are, rightly, expected by local residents. Moreover, the Council Plan recognises the importance of 'maintaining high standards' and being 'open, trustworthy and honest' in the discharge of business.

### **7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

- 7.1 An Integrated Impact Assessment is not required for this report.

### **8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 The LGA consulted widely on the draft Model Councillor Code of Conduct, and revised their document in response to responses, including from the Standards Committee.

8.2 Whilst any revised LGA Model Councillor Code of Conduct would apply to elected councillors sitting on the Standards Committee, it is considered that this does not amount to a conflict of interest.

## 9. **RECOMMENDATION**

9.1 That the Committee continue to note the LGA Model Councillor Code of Conduct and the LGA's intention to publish further guidance.

9.2 That a further report be submitted to the Standards Committee following publication of the guidance and consultation responses.

DIRECTOR: GOVERNANCE & PARTNERSHIPS

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North Lincolnshire  
DN16 5NL  
Author: Will Bell / Dean Gillon  
Date: 8 March 2021

### **Background Papers used in the preparation of this report:**

Committee on Standards in Public Life – Local Government Ethical Standards 2019  
Local Government Association – Councillor Code of Conduct

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Complaint	Complainant	Complaint against	Received	Assessed	Outcome
SC/19/01	Member of the public	Member of North Lincolnshire Council	02 January 2019	19 March 2019	None
SC/19/02	Member of the public	Members of Wrawby Parish Council	07 January 2019	19 March 2019 (deferred), 17 June 2019, 29 July 2020	Referred for investigation – now ended, no longer in office
SC/19/03	Member of South Killingholme Parish Council	Member of South Killingholme Parish Council	11 January 2019	19 March 2019 (deferred) 17 June 2019	Offer of mediation
SC/19/04	Member of South Killingholme Parish Council	Member of South Killingholme Parish Council	18 February 2019	19 March 2019 (deferred) 17 June 2019	Offer of mediation
SC/19/05	Member of the public	Member of Elsham Parish Council	5 March 2019	19 March 2019	None
SC/19/06	Member of the public	Member of North Lincolnshire Council	12 March 2019	Withdrawn	None
SC/19/07	Member of the public	Member of Crowle and Ealand Town Council	21 March 2019	17 June 2019	Referred for investigation – now ended, no longer in office
SC/19/08	Member of the public	Member of South Killingholme Parish Council	16 April 2019	17 June 2019	Offer of mediation

Complaint	Complainant	Complaint against	Received	Assessed	Outcome
SC/19/10	Member of Broughton Town Council	Three Members of Broughton Town Council	09 May 2019	17 June 2019	None
SC/19/11	Member of the public	Three Members of Broughton Town Council	09 May 2019	17 June 2019	None
SC/19/12	Member of the public	Member of South Killingholme Parish Council	09 May 2019	17 June 2019	Offer of mediation
SC/19/13	Member of the public	Two members of South Killingholme Parish Council	09 May 2019	17 June 2019	Offer of mediation
SC/19/14	Member of North Lincolnshire Council	Member of North Lincolnshire Council	10 May 2019	17 June 2019	Appropriate action by Monitoring Officer - resolved
SC/19/15	Member of the public	Member of Goxhill Parish Council	28 May 2019	12 August 2019	None
SC/19/16	Officer of Goxhill Parish Council	Member of Goxhill Parish Council	4 June 2019	12 August 2019	Withdrawn by complainant
SC/19/17	Member of the public	Member of North Lincolnshire Council	14 June 2019	12 August 2019	None

Complaint	Complainant	Complaint against	Received	Assessed	Outcome
SC/19/19	Member of Worlaby Parish Council	Three Members of Worlaby Parish Council	2 August 2019	26 September 2019	Recommendation of mediation
SC/19/20	Member of the public	Member of Worlaby Parish Council	12 August 2019	26 September 2019	Recommendation of mediation
SC/19/21	Member of the public	Member of Goxhill Parish Council	22 November 2019	21 January 2020	Breach
SC/19/22	Member of the public	Member of Hibaldstow Parish Council	16 December 2019	20 February 2020	None
SC/20/01	Three members of the public	Member of Garthorpe & Fockerby Parish Council	28 February 2020	29 July 2020	Investigation and Hearing
SC/20/02	Member of the public	Member of Kirton in Lindsey Town Council	9 March 2020	10 June 2020	None
SC/20/03	Member of the public	Member of North Lincolnshire Council	27 May 2020	11 November 2020	None
SC/20/04	Member of the public	Member of North Lincolnshire Council	17 June 2020	29 July 2020	None
SC/20/05	Member of the public	Member of North Lincolnshire Council	6 July 2020	29 July 2020	None
SC/20/06	Member of the public	Two members of North Lincolnshire Council	14 October 2020	15 December 2020	None

Complaint	Complainant	Complaint against	Received	Assessed	Outcome
SC/20/07	Member of the public	Member of South Killingholme Parish Council	21 October 2020	15 December 2020	None
SC/20/08	Member of Barrow-upon-Humber Parish Council	Two members of Barrow-upon-Humber Parish Council	28 October 2020	11 November 2020	Recommendation of mediation
SC/20/09	Member of Barrow-upon-Humber Parish Council	Member of Barrow-upon-Humber Parish Council	16 November 2020	14 January 2021	Investigation
SC/20/10	Officer of Goxhill Parish Council	Member of Goxhill Parish Council	18 November 2020	14 January 2021	Investigation
SC/20/11	Member of Barrow-upon-Humber Parish Council	Member of Barrow-upon-Humber Parish Council	23 November 2020	14 January 2021	Investigation
SC/20/12	Three Members of Epworth Town Council	Three Members of Epworth Town Council	23 December 2020	16 February 2021	None (2 members), Investigation (1 member)
SC/21/01	Member of Goxhill Parish Council	Member of Goxhill Parish Council	12 January 2021	16 February 2021	Investigation
SC/21/02	Officer of Epworth Town Council	Member of Epworth Town Council	10 February 2021		
SC/21/03	Member of the public	Member of Garthorpe & Fockerby Parish Council	16 February 2021		

Complaint	Complainant	Complaint against	Received	Assessed	Outcome
SC/21/04	Member of the public	Two members of Haxey Parish Council	03 March 2021		
SC/21/05	Member of the public	Member of South Ferriby Parish Council	04 March 2021		

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