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NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

8 July 2021

Chairman: Councillor Neil Poole

Venue: Conference Room,
Church Square House

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 17 March 2021 as a correct record and authorise the chairman to sign. (Pages 1 - 2)
4. Standards Committee Annual Report 2020 - 21 (Pages 3 - 10)
5. Complaints Schedule - update (Pages 11 - 14)
6. 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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Public Document Pack Agenda Item 3

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

17 March 2021

PRESENT: - N Poole (Chairman)

J England (Vice Chairman), S Bainbridge, C O'Sullivan, D Wells, L Yeadon and S Wroe

The meeting was held at the Via MS Teams.

338 SUBSTITUTIONS (IF ANY)

There were no substitutions. Mr Johnson and Dr Harvie submitted their apologies.

339 DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS.

There were no declarations of interests made at the meeting.

340 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.

Resolved – That the minutes of the meeting of this committee held on 20 January 2021, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

341 MODEL COUNCILLOR CODE OF CONDUCT

The Director: Governance & Partnerships submitted a report updating the Standards Committee on the Local Government Association (LGA) Model Councillor Code of Conduct and subsequent guidance and consultation responses, and to request that the Committee consider its next steps.

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. The Director confirmed that these documents would be important in understanding and interpreting the implications of the new Code. This work is still underway by the LGA.

The Monitoring Officer informed the Standards Committee that he had benchmarked with other councils and specialists through existing networks in

STANDARDS COMMITTEE
17 March 2021

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.

As the accompanying guidance related to the published LGA Model Councillor Code of Conduct remained outstanding, the Monitoring Officer suggested that the Standards Committee defer consideration of this item until the next meeting, where a more detailed report could be submitted.

Resolved: That consideration of the Local Government Association (LGA) Model Councillor Code of Conduct and subsequent guidance and consultation responses be deferred until the Committee's next meeting.

342 STANDARDS TRAINING SESSION - FEEDBACK

The Monitoring Officer updated the Committee on the scheduled virtual training session for Town and Parish Councils held on 19 January 2021. It was confirmed that the meeting had been recorded and a link to the recording circulated to all clerks. The session was opened by Cllr Poole, Chairman, and had been well-received, with over 50 attendees. Feedback had been universally positive.

Resolved – (a) that the success of the training session be noted; and (b) that the session's online and on-demand methodology be considered for future training events.

343 COMPLAINTS SCHEDULE - UPDATE.

The Director: Governance and Partnerships submitted a report updating the Committee on progress made with complaints received.

The Director updated members on the complaints schedule, confirming that a number of investigations were ongoing, and a small number of complaints were in the process of being assessed.

Resolved - That the report be noted.

344 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES WHICH MUST BE SPECIFIED.

Report of the Director:
Governance and Partnerships

Agenda Item
Meeting: 8 July 2021

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

STANDARDS COMMITTEE - ANNUAL REPORT 2020/2021

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider the annual report of the Standards Committee under the Council's standards regime for the period 1 July 2020 to 30 June 2021.

2. BACKGROUND INFORMATION

- 2.1 This report attached (as appendix 1) is the ninth 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 2020 to 30 June 2021 and details the work and activities of the Standards Committee throughout that time.
- 2.2 The report is presented to the Standards Committee for discussion and to take any action the Committee deems necessary. Typically, the Committee requests that, upon approval, the Monitoring Officer provide a copy to all Town and Parish Councils in the area. The agreed report will also be submitted to Council in accordance with the requirements of the Council's Annual Governance Statement.
- 2.3 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 The Committee may wish to consider ongoing developments, current trends, and other methods to ensure that the local standards regime remains robust.

4. **ANALYSIS OF OPTIONS**

4.1 There are no recommended options, but members may wish to explore specific actions. Officers will be on hand to provide advice and guidance.

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

5.1 The financial, practical and resource implications arising from supporting local standards arrangements are co-ordinated by the Monitoring Officer and his staff, and are overseen by the Standards Committee.

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

6.1 Allegations of potential criminal wrongdoing are passed to Humberside Police for consideration. A referral pathway has been in place for several years and has proven effective.

6.2 Equalities issues under the Equalities Act 2010 have been considered and are not thought to be relevant to consideration of this report. The standards regime remains open to all.

6.3 This report helps to promote the aims of the Council Plan by supporting the “enabling communities to flourish” priority. It also compliments the promises in the Council Plan to “maintain high standards” and to “be open, trustworthy and honest”.

6.4 There are no environmental issues related to this report.

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

7.1 The completion of an Integrated Impact Assessment is not required.

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

8.1 The Standards Committee regularly responds to consultations on standards issues.

8.2 Regular contact is maintained with elected councillors and clerks of all Town and Parish Councils in North Lincolnshire, including through the annual provision of training.

8.3 There are no conflicts of interest identified.

9. RECOMMENDATIONS

- 9.1 That the Standards Committee consider the draft report, taking action as deemed appropriate.
- 9.2 That the Standards Committee consider requesting that the Monitoring Officer provide a copy of the approved report be forwarded to all Town and Parish Councils in the area.
- 9.3 That the Standards Committee request the Monitoring Officer to submit the approved annual report to Council for further discussion, in accordance with the requirements of the Council's Annual Governance Statement.

DIRECTOR OF GOVERNANCE & PARTNERSHIP

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Dean Gillon / Will Bell

Date: 24 June 2021

Background Papers used in the preparation of this report –

Published Standards Arrangements
Standards Committee – Annual Report 2019/20

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NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT

2020/10

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 2020 to 30 June 2021.

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 2020 to the end of the municipal year 2021.

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

Councillor Len Foster, Councillor David Robinson, and Councillor R Allcock also served on the Committee in 2020/21

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 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 2020 to 30 June 2021) 23 new complaints were received involving members, compared to 8 in 2019/2020, 29 in 2018/19, and 12 in 2017/18.

Of the above 23 complaints, 13 were assessed by an Assessment Panel and one complaint was determined by the Monitoring Officer, each following consultation with the Independent Person. Nine complaints were in the process of being assessed. There were 7 Assessment Panel meetings and two Hearings Panel meetings in 2020/21.

Sixteen of the 23 complaints related to members of Town or Parish Councils with the remaining 7 complaints being made against members of North Lincolnshire Council.

Five town or parish councils were named in more than one complaint in 2020/21 (total of 11 complaints), with the remaining five being related to various individual Town or Parish Councils.

Eight complaints related to more than one individual, whereas the remaining 15 complaints received throughout 2020/21 related to an individual.

Of the 13 complaints considered by an Assessment Panel in 2020/21, no further action was taken on 8 and 5 were referred for investigation. The one complaint assessed by the Monitoring Officer in 2020/21, in consultation with the Independent Person, took no further action.

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 increase of complaints received in 2020/21, with 23 complaints received, compared to 8 complaints received in 2019/20. However, there were 29 complaints received in 2018/19, suggesting a complex pattern of causes of 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 4 March 2021.

The 4 March 2021 session was delivered online for the first time, with record attendance and universally positive feedback. The session was recorded, with a link subsequently distributed to all town and parish clerks. As such, online sessions are likely to be incorporated into the annual training programme.

Throughout 2020/21, the three Independent Persons (Mr Forbes, Mr Johnson, and Dr Harvie) and the statutory co-opted member (Ms Wroe) continued to contribute in an invaluable manner to the committee's standards work and the assessment and possible hearing of all complaints. These appointments were recently re-approved by council at its Annual General Meeting.

Much of the Standards Committee's work throughout 2020/21 related to the new LGA Model Code of Conduct for Councillors. The Committee responded comprehensively to the national consultation in July 2020 and has received a report on the Code following approval by the LGA in December 2020. Further guidance is awaited from the LGA on the Code's application and once this has been received a further report will be submitted to the Committee. It is understood that nationally take up of the new Code is relatively low, but this may change once the guidance is issued.

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). Dialogue with the three Independent Persons and the co-opted member continues, in order 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 2021

Complaint	Complainant	Complaint against	Received	Assessed	Outcome
SC/20/01	Three members of the public	Member of Garthorpe & Fockerby Parish Council	28 February 2020	29 July 2020	Investigation and Hearing – now concluded
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
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	Member of Barrow-upon-Humber Parish Council	16 November 2020	14 January 2021	Investigation, now concluded due to

	Council				resignation
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, now withdrawn
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	25 March 2021	None
SC/21/03	Member of the public	Member of Garthorpe & Fockerby Parish Council	16 February 2021	29 June 2021	None
SC/21/04	Member of the public	Two members of Haxey Parish Council	03 March 2021	15 April 2021	None
SC/21/05	Member of the public	Member of South Ferriby Parish Council	04 March 2021	29 June 2021	None
SC/21/06	Member of the public	Member of North Lincolnshire Council	19 March 2021	29 June 2021	None
SC/21/07	Member of the public	Member of North Lincolnshire Council	23 March 2021		
SC/21/08	Member of the public	Member of North Lincolnshire Council	23 March 2021		

SC/21/09	Member of Broughton Town Council	Member of Broughton Town Council	26 March 2021	29 June 2021	None
SC/21/10	Member of North Lincolnshire Council	Two members of North Lincolnshire Council	19 April 2021		
SC/21/11	Member of North Lincolnshire Council	Two members of North Lincolnshire Council	19 April 2021		
SC/21/12	Member of the public	Member of Worlaby Parish Council	22 April 2021		
SC/21/13	Member of the public	Thirteen members of Haxey Parish Council	29 April 2021		
SC/21/14	Member of the public	Two members of Burton upon Stather Parish Council	12 May 2021		
SC/21/15	Member of the public	Member of Burton upon Stather Parish Council	9 June 2021		

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