

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

ANNUAL REPORT

2022/23

This report represents the eleventh annual report of the Standards Committee under the Council's Standards regime following the Localism Act 2011 and covers the period 1 July 2022 to 30 June 2023.

Membership

The Council determined that a Committee comprising five elected members 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 2022 to the end of the municipal year 2023.

Councillor Neil Poole (Conservative) (Chairman)
Councillor John England (Conservative) (Vice – Chairman)
Councillor Mashook Ali (Labour)
Councillor Christine O'Sullivan (Labour)
Councillor David Wells (Conservative)

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

Advisory

- (a) Advising the Council on the amendment or revision of the Code of Conduct and the appointment or removal of the Independent Person/s.

Delegated

- (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 relevant 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 incorporates 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 (with minor amendments in two cases), which assists in encouraging uniform and consistent application across the area.

Complaints

During the period covered by this report (1 July 2022 to 30 June 2023) 25 new complaints were received involving members, compared to 33 in 2021/2022, 23 in 2020/21, 8 in 2019/2020, and 29 in 2018/19. This is broadly in line with the number of complaints received in previous years.

Of the above 25 complaints, eight were assessed by an Assessment Panel and two complaints were determined by the Monitoring Officer, each following consultation with the Independent Person. One complaint was resolved informally, and one was resolved without the need for an assessment or determination by the Monitoring Officer. Thirteen complaints were in the process of being assessed, and one had been withdrawn. There were five Assessment Panel meetings and one Hearings Panel meetings in 2022/23.

Of the 25 complaints, 19 related to members of Town or Parish Councils, with the remaining six complaints being made against members of North Lincolnshire Council.

Six town or parish councils were named in more than one complaint in 2022/23 (total of 17 complaints), with the remaining two being related to various individual Town or Parish Councils.

The following councils were named in more than one complaint.

Council	Number of complaints 2021/22
Owston Ferry Parish Council	6
Goxhill Parish Council	3
Barnetby Parish Council	2
Winterton Town Council	2
Epworth Town Council	2
Burringham Parish Council	2

Two complaints related to more than one individual, whereas the remaining 23 complaints received throughout 2022/23 related to an individual.

Of the eight 2022/23 complaints considered by an Assessment Panel, no further action was taken on five, two were referred for investigation, and one recommended mediation. Of the three complaints assessed by the Monitoring Officer in 2022/23, in consultation with the Independent Person, no further action was taken on two, and one was resolved informally. One complaint was resolved without the need for a decision by the Monitoring Officer or an Assessment Panel.

The complaints related to a wide range of alleged breaches of the Code of Conduct 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.

The number of complaints dealt with in 2022/23 marked a moderate reduction from the 33 complaints received in the previous year: the highest figure since the Standards Committee was established in 2012. The number of complaints referred for investigation (two) in 2022/23, was also a welcome reduction from the seven investigations initiated in 2021/22.

Encouragingly, as in recent years, there were no complaints in 2022/23 that required Humberside Police to take formal action following a referral for an alleged failure to declare Disclosable Pecuniary Interests. Despite this, both the Standards Committee and the Monitoring Officer maintain a relationship with Humberside Police and are able to seek informal advice and guidance.

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 29 March 2022.

Whilst falling within the previous year, the 29 March 2022 session was delivered online for the second time, with positive feedback. The session was recorded, with a link subsequently distributed to all town and parish clerks. As such, online sessions are likely to continue to be an option to be incorporated into the annual training programme in the future.

Further training sessions are currently in the process of being planned, and details will be communicated to all Town and Parish Councils in due course.

Throughout 2022/23, the three Independent Persons (Mr Forbes, Mr Johnson, and Dr Harvie) continued to contribute in an invaluable and constructive manner to the Committee's work, including the assessment and hearing of complaints. The appointments of the Independent Persons were recently re-approved by council at its Annual General Meeting.

Much of the Standards Committee's work throughout 2022/23 related to the LGA's ongoing "Debate, not Hate" campaign, aimed at preventing the abuse and intimidation of councillors, and supporting those who are subject to it. The

Committee reflected on local arrangements, and implemented a number of steps intended to deal with the sadly common abuse of local elected members. This included forging a much closer relationship with Humberside Police, who attended the Committee's meeting in March 2023, and implementing a system where abuse can be logged and reported, where appropriate. This work will be cited as an example of national 'Best Practice' in a forthcoming University of London / LGA research report about the instruments, strategies and practices that councils are implementing to support councillors dealing with support, abuse and intimidation.

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 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
June 2023