

STANDARDS COMMITTEE 21 February 2017
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*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No. 6
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TITLE OF REPORT: STANDARDS MATTERS

REPORT OF THE MONITORING OFFICER

1. SUMMARY

1.1 The report updates Members of the Committee on standards issues generally.

2. RECOMMENDATIONS

2.1 That Members note the content of the report.

2.2 That Members identify points to be emphasised in Member training on standards/governance issues.

3. REASONS FOR RECOMMENDATIONS

3.1 To ensure good governance within the Council.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

5.1 No consultation has been undertaken.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 Within its terms of reference the Standards Committee has a function of “to promote and maintain high standards of conduct by Members and Co-Opted Members of the authority”. The Committee will therefore receive update reports from the Monitoring Officer on matters that relate to, or assist to govern, Member conduct.

8. ISSUES

Complaints Update

- 8.1 There have been no complaints since the last Committee meeting. The Monitoring Officer, Deputy Monitoring Officer and legal team have, as usual, provided advice on interests and decision making to a number of Members.

Motion of Censure

- 8.2 Further to the Standards Committee meeting in October, Members will be aware that Full Council on 24 November 2016 passed the Motion of Censure following the findings of the Standards Sub-Committee.

Code of Conduct Review and Register of Interests

- 8.3 Members will be aware that the current Code of Conduct for Councillors was adopted by Full Council in July 2013. The MO and DMO will be undertaking a review of the Code, to ensure it is working as intended, with a view to reporting to the next meeting of the Standards Committee. It is understood that Hertfordshire County Council and Stevenage Borough Council are currently reviewing their Codes of Conduct, which were adopted in 2012.
- 8.4 The Monitoring Officers within Hertfordshire have also discussed whether to introduce a common Register of Interests form and this is currently being explored. There are clear benefits for 'dual hatted' Members who would no longer have the situation of having to declare on the register different interests at different authorities and the additional benefit of a consistent approach across the County. Herts County Council and NHDC currently have the same Register of Interests form, so if this proposal goes ahead it is likely that some (or all) of the Declarable Interests within the NHDC Code of Conduct would be required to be registered. If this proposal comes forward it will be as part of the Code of Conduct Review.

Protocol with Hertfordshire Police in relation to DPI offences

- 8.5 For the last few years there has been a Protocol in place between Hertfordshire Constabulary and the Hertfordshire Monitoring Officers for the referral of potential Disclosable Pecuniary Interest offences under the Localism Act. The Protocol sets out what will be referred and how the Police will handle the referral. The Protocol is currently being reviewed and there are likely to be some minor amendments to clarify when a police referral will be made. The agreed changes will be reported to the next Standards Committee.

Member training

- 8.6 The second item on the agenda of this Standards Committee is some training on the Code of Conduct and governance issues in order to refresh Members minds of the key issues they should be aware of. It is proposed to provide training to all Members later in the year and therefore the Committee is asked to consider which elements of training should be emphasised in the wider session in due course.

Current Issues

- 8.7 As Members will have noted, in the Members Information Service on 3 February 2017 we re-issued the Guidelines for Members when using Social Media. These Guidelines were originally approved by Standards Committee in June 2013 and have now been re-issued on three occasions, in order to remind Members of the importance of using social media responsibly.
- 8.8 Members will also have noted that the Members Information Service on 18 November 2016 included a reminder of the reasons for “Part 2” confidential committee reports and the potential consequences of not maintaining that confidentiality.

9. LEGAL IMPLICATIONS

- 9.1 The terms of reference of the Standards Committee include at paragraph 7.5.1 of the Constitution “to promote and maintain high standards of conduct by Members and Co-Opted Members of the authority”.
- 9.2 There are no specific legal implications arising from the content of this report.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no capital or revenue implications arising from the content of this report.

11. RISK IMPLICATIONS

- 11.1 Appropriate policy frameworks help to ensure good governance of the Council and therefore reduce risk of poor practice or unsafe decision making.

12. EQUALITIES IMPLICATIONS

- 12.1 The Equality Act 2010 came into force on the 1st October 2010, a major piece of legislation. The Act also created a Public Sector Equality Duty, which came into force on the 5th April 2011. There is a General duty, described in 12.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 12.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of ‘social value’ as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 12

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 None. The work outlined within the report is within the Monitoring Officer’s caseload.

15. APPENDICES

15.1 None.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1 None.