

**STANDARDS COMMITTEE
3 MARCH 2021**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: STANDARDS MATTERS REPORT

REPORT OF THE SERVICE DIRECTOR: LEGAL & COMMUNITY / MONITORING OFFICER

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

1. EXECUTIVE SUMMARY

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

2. RECOMMENDATIONS

2.1. That the Committee notes the content of the report.

3. REASONS FOR RECOMMENDATIONS

3.1 To ensure good governance within the Council.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 Group Leaders and the Standards Committee Chair and Vice Chair are kept informed of Monitoring Officer and standards matters on a monthly basis during briefing sessions. The Monitoring Officer also holds quarterly meetings with the Independent Person, Reserve Independent Persons ('IPs') and the Chair and Vice Chair of Committee.

6. FORWARD PLAN

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

7. BACKGROUND

- 7.1 Within its terms of reference the Standards Committee has a function “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 with, areas of Member conduct.

8. RELEVANT CONSIDERATIONS

Local Government Ethical Standards

- 8.1. Members will be aware from previous reports that the Committee on Standards in Public Life (‘CSPL’) published a report with 26 recommendations on ethical standards in local government on 30 January 2019. This also included 15 Best Practice recommendations¹.
- 8.2. The most recent updates/ developments in respect of these recommendations are:
- 8.2.1. The LGA model code report covers that recommendation and developments (so it not repeated here);
- 8.2.2. On 28 October 2020, the CSPL sought confirmation from local authorities regarding implementation of the recommendations. This was provided in November and appears on the following page².
- 8.2.3. The CSPL confirmed (in a blog) on 8 February 2021 that it is yet to receive a response from the Government on these recommendations.
- 8.3. The CSPL has published its year ahead: <https://cspl.blog.gov.uk/2021/01/14/cspls-year-ahead/> . This is likely to include the outcome of the Standards Matters 2 investigation into institutions and those recommendations may have implications for local authorities.
- 8.4. Otherwise, there are no significant developments at this stage, although on a lighter and also serious note – the CSPL highlighted the **#JackieWeaver** as “*a catalyst for change in local government standards*”, with Handforth Parish Council in the social media. On the back of this, the CSPL emphasised that the Local Government standards review from 2019 had highlighted a number of concerns, with “*poor behaviour and serious misconduct by some councillors creating significant disruption in those communities*”. This also affects officers and other Councillors, with repercussions being a disproportionate number of complaints about poor behaviour which have to be handled. One positive *reported* outcome of the Handforth situation when finalising the report, however, is that the Government is now said to be reconsidering a change in the law to make provisions for virtual council meetings permanent (which are due to expire on 7 May 2021). No doubt the Committee supports the aspiration of change for the better for both conduct and meeting arrangements.

¹ As first reported to the February 2019 Committee: [STANDARDS MATTERS & RECOMMENDATION ON BEST PRACTICE CHANGES](#)

² <https://www.gov.uk/government/publications/local-government-ethical-standards-progress-made-against-best-practice-recommendations>, North Herts is on sheet 2

NHDC
North Hertfordshire complaints/ issues update

8.5 Further to the report that was presented to Standards Committee in October 2020, the updates on *formal* complaints are as follows:

Complaint about: Parish/ Town or District Councillor	Summary of complaint	Action <i>NB Independent Person involved in all stages of these complaints.</i>
4/2020 complaint against three District Councillors by a member of the public.	<p>Allegations against 3 District Councillors regarding a capital grant that was awarded to an external organisation:</p> <ul style="list-style-type: none"> • Councillor 1: involvement of Councillor’s company undertaking the work paid for by the grant; not declaring this correctly as a Disclosable Pecuniary Interest. • Councillor 2: being a Trustee on the organisation but failing to declare this in the grant panel meeting or on Register of Interests. • Councillor 3: assisting the grant application process/ assisting a close associate (although not involved in the Council decision making process). <p><i>NB a separate internal audit investigation was undertaken by the Shared Internal Audit Service into NHDC procedures. Recommendations from that to be reviewed by a further audit which will be reported to the Finance and Audit Committee in due course.</i></p>	<ul style="list-style-type: none"> • Councillor 1 – referred to Police pursuant to the Protocol. Police indicated no further action, other than for the Councillor to update Register of Interests, which was completed. • Councillor 2 – investigation undertaken and concluded no evidence that Councillor aware that they were a Trustee. Councillor updated Register of Interest and no further action on complaint. • Councillor 3 – no case to answer, as not involved in the grant recommendation or decision.
5/2020 complaint against District Councillor. Same complainant as under 4/2020	That District Councillor 1 (above) swore at the complainant at a public surgery meeting, when the complainant introduced themselves, following complaint 4/2020.	No case to answer.
6/2020 ³ complaint against District Councillor by a member of the public.	That a District Councillor had been abusive and aggressive towards the complainant when they crossed the road.	No case to answer, as not acting in the capacity of a Councillor at the time and

³ This was the last for 2020. There are two informal complaints for 2021 before 3/2021.

		therefore the code of conduct did not apply.
3/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	Ongoing.

Member training

- 8.8 Training will be provided following the election as part of the Induction programme to Members. If the Council does not adopt the new Code, then this will be *offered* to all Councillors. If the Council adopts the LGA model, then as indicated in the LGA model code report – this is recommended as *compulsory* for all District Councillors. Consideration will also be given to facilitating sessions for the local councils in the district that adopt the new model.

Parish Council representatives to Standards Committee

- 8.9 Following the successful recruitment of two new Parish Councillors in 2020, Parish Councillor Dr Julia Magill MBE resigned in October 2020. The Committee now has 2 out of 4 potential co-optees (minimum being 2), and consideration will be given to further recruitment in 2021 as resources allow.

9. LEGAL IMPLICATIONS

- 9.1 The terms of reference of the Standards Committee include, at paragraph 7.5.1 of their terms of reference “to promote and maintain high standards of conduct by Members and Co- Opted Members of the authority”.

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 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their 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. There are no direct equalities implications from this report.

- 12.2 Good governance and high ethical standards of conduct ensure that local government decisions are taken in the public interest. The review of the best practice recommendations and appropriate changes will ensure that NHDC will continue demonstrate due regard to the objectives of the Public Sector Equality duty.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1 There are no financial implications to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 None. The work outlined within the report is within the caseload of the Monitoring Officer and the legal team.

16. APPENDICES

- 15.1 None.

17. CONTACT OFFICERS

- 16.1 Jeanette Thompson Service Director: Legal and Community (& Monitoring Officer):
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18. BACKGROUND PAPERS

- 17.1 None other than those referred to/ linked above.