

**FULL COUNCIL**  
**8 July 2021**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: ANNUAL REPORT OF THE STANDARDS COMMITTEE**

REPORT OF MONITORING OFFICER

THE CHAIRMAN OF THE STANDARDS COMMITTEE, CLLR JUDI BILLING

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

**1. EXECUTIVE SUMMARY**

1.1 To consider the Annual Report in relation to ethical standards for the preceding civic year.

**2. RECOMMENDATIONS**

2.1. That Council receives and notes the Annual Report.

**3. REASONS FOR RECOMMENDATIONS**

3.1 In line with recommended good governance practice to report the work of Standards Committee to the full Membership, to promote and maintain high standards of conduct and to demonstrate a strong commitment to ethical values.

**4. ALTERNATIVE OPTIONS CONSIDERED**

4.1 None.

**5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

5.1 Consultation has taken place with the Chair and Vice Chair on this report; and where relevant/ applicable with the Standards Committee as part of their deliberations on the topics detailed. Group Leaders are also kept informed of any relevant developments as part of their monthly Service Director briefings. Quarterly meetings are also scheduled between the Monitoring Officer, Deputies, Chair, Vice Chair with the Independent Persons, to discuss standards matters.

**6. FORWARD PLAN**

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

**7. BACKGROUND**

7.1 As Members will be aware, the current standards regime was introduced in July 2012 following the introduction of the Localism Act 2011 ('the Act'). There is a legal duty under section 27 of the Act to promote and maintain high standards of conduct. The Standards Committee has the responsibility under the Council's Constitution to promote and maintain high standards of conduct. Since 2017 a written Annual Report has been presented to the Membership, with an address by the Chair of the Standards Committee for the relevant civic year. This is in line with best practice recommendations.

**8. RELEVANT CONSIDERATIONS**

8.1. The following outlines standards matters, work of the Standards Committee and Monitoring Officer / Deputies during the civic year 2020-21.

**Local Government Ethical Standards:**

8.2. 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 recommendations<sup>1</sup>. One of those related to the production of a Local Government Association (LGA) model code.

8.3. A model (non-mandatory) Code was produced by the LGA and this was considered by the Standards Committee in March<sup>2</sup> and recommended to Full Council in April<sup>3</sup>, where a slightly amended version was adopted and came into force on 7 May 2021<sup>4</sup>. Part of the Full Council resolution related to mandatory training for District Councillors (see 8.12 below).

8.4. The LGA have committed to keeping their Code under review annually and obviously any changes will be reported back to the Standards Committee and should amendments be considered appropriate, these will be referred to Full Council.

8.5. The LGA have also commissioned Guidance to accompany their Code and it is understood at the point of preparing this report that this is being finalised and should be available in July 2021.

8.6. Otherwise the Standards Committee met twice since the last Annual Report: in October 2020<sup>5</sup> and March 2021 (as indicated) and considered relevant standards matters.

**Complaints:**

8.7. The Procedure for handling Councillor Complaints was last reviewed and amended in May 2019, following the Committee on Standards in Public Life (CSPL) report on Local Government Ethical Standards.

8.8. One of the pieces of work in 2021-22 will be to review the Procedure again in the light of the new Code and any Guidance issued.

8.9. Otherwise, the following formal complaints have been received / concluded since the last Annual Report in July 2020. All were considered by the Monitoring Officer or Deputies with an Independent Person before a decision was reached on initial assessment, or are being dealt with in this manner now, where the complaint is ongoing:

<b>Complaint about: Parish/ Town or District Councillor</b>	<b>Summary of complaint</b>	<b>Outcome</b>
4/2020 complaint	Allegations against 3 District Councillors	• Councillor 1 – referred to Police pursuant to the Protocol. Police indicated no further action, other

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

<sup>2</sup> [Standards Committee 3 March 2021](#) item 14.

<sup>3</sup> [Full Council 15 April 2021](#) see note 102

<sup>4</sup> [Section 17 with updated Councillor Code of Conduct](#)

<sup>5</sup> [Standards Committee 20 October 2020](#)

<p>against three District Councillors.</p>	<p>regarding a capital grant that was awarded to an external organisation:</p> <ul style="list-style-type: none"> <li>• Councillor 1: involvement of Councillor's company undertaking the work paid for by the grant; not declaring this correctly as a Disclosable Pecuniary Interest.</li> <li>• Councillor 2: being a Trustee on the organisation but failing to declare this in the grant panel meeting or on Register of Interests.</li> <li>• Councillor 3: assisting the grant application process/ assisting a close associate (although not involved in the Council decision making process).</li> </ul> <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 after Quarter 2-3.</i></p>	<p>than for the Councillor to update Register of Interests, which was completed.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Councillor 3 – merits no further investigation, as not involved in the grant recommendation or decision.</li> </ul>
<p>5/2020 complaint</p>	<p>That District Councillor 1 (above)</p>	<p>Merits no further investigation.</p>

against District Councillor. Same complainant as under 4/2020	swore at the complainant at a public surgery meeting, when the complainant introduced themselves, following complaint 4/2020.	
6/2020 complaint against District Councillor.	That a District Councillor had been abusive and aggressive towards the complainant when they crossed the road.	Merits no further investigation, as not acting in the capacity of a Councillor at the time and therefore the code of conduct did not apply.
3/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	Ongoing.
5/2021 Complaint against three District Councillors.	Regarding canvassing campaign alleged to be contrary to government guidelines.	Merits no further investigation as no breach of government guidelines.
7/2021 Complaint against a Great Ashby Community Councillor (following 5/2021).	Ongoing.	Ongoing.
8 & 9/2021 Complaint against two District Councillors.	Treatment by Councillors in a surgery was racist	One Councillor – merits no further investigation. Other training on unconscious bias.
10-14, 16 & 19 /2021 against three District Councillors (multiple complainants).	Planning Control Committee permission and approval regarding, treatment of member of the public and alleged bias (other	Merits no further investigation. Separate issue regarding one Councillor raised by one of the complainants; at the point of being finalised.

	issues raised regarding planning elements).	
18/2021 against District Councillor	Alleged failure to disclose an interest.	No case on the alleged interest, but apparent from consideration that there was an issue regarding another interest not on the Councillor's Register. This was raised with the Councillor and updated by them.

8.10 Complaints are also made informally to the Monitoring Officer – this covers situations where the individuals do not wish to pursue something formally and, as per agreement, are dealt with by raising them with the relevant Group Leader/ individual Councillors, or have not supplied information regarding which Councillors they are complaining about. These are not reported above, at the request of the Standards Committee (February 2019); however, represent the missing references in 2021.

#### **Training:**

8.11 As indicated above, the resolution at Full Council on 15 April<sup>6</sup> in relation to the new Code provided:

**(3) That training on the new code be compulsory for all District Councillors during the 2021- 2022 municipal year.**

8.12 Training has been arranged with one of the authors of the LGA Code, and those preparing the Guidance on it, Paul Hoey, from Hoey Ainscough Associates Limited. These have been arranged currently for two dates (21 June and 1 July) and at the point of preparing the report all but three District Councillors have signed up for one of those sessions. There were a number of compliments regarding the first session at the point of preparing the report.

8.13 One further session will be arranged as a 'mop up', with the intention of inviting those local Council's within the District who have adopted the LGA (and/ or NHDC version) of the Code, to participate, subject to numbers and potentially first come first served. It is not intended to make any charge at this stage for participation. However, should any further requests be made for training from local councils, if unable to attend, then that would have to be considered. Note that the Hertfordshire Association of Parish and Town Councils has already run a training session for local council members in June 2021 and may be considering further training.

8.14 The Independent Persons have also attended their annual training and will be provided Joint National Council training in the near future.

## **9. LEGAL IMPLICATIONS**

9.1. Although it is not specifically referred to in the Constitution, Full Council has routinely received an Annual Report on standards issues. There is no legal requirement to have an Annual Report; however, it is considered good practice to do so and updates in the Constitutional amendment report cover off this issue in terms of receipt of such reports.

<sup>6</sup> [Full Council 15 April 102 resolution \(3\)](#)

**10. FINANCIAL IMPLICATIONS**

- 10.1 There are no capital or revenue implications arising from the content of this report. Training costs were recently explained in the April 2021 version. It is hoped that a third training session would cost in the region of £300 - although may be at the higher rate of £600.

**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.

- 12.2 The Councillor Code of Conduct clearly states that it is a requirement for all Councillors to carry out their duties with reference to the principles set out under the Equality Act. The Standards Committee role is to promote this. There are no other implications to this report.

**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 known Environmental impacts or requirements that apply to this report.

**15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 None.

**16. APPENDICES**

- 16.1 None.

**17. CONTACT OFFICERS**

- 17.1 Jeanette Thompson Service Director: Legal and Community and Monitoring Officer  
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**18. BACKGROUND PAPERS**

- 18.1 Other than those identified within the Report, none.