

TITLE OF REPORT: STANDARDS MATTERS REPORT

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

COUNCIL PRIORITY: BE A MORE WELCOMING, INCLUSIVE AND EFFICIENT COUNCIL

1. EXECUTIVE SUMMARY

1.1 The report updates Members of the Committee on standards issues locally and nationally.

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

NHDC

North Hertfordshire complaints/ issues update

8.1 The Committee will be aware that it is informed of the numbers of complaint/ summary and outcomes bi-annually. This has been a year of increasing complaint – as at the date of finalising the report we are now at **41**, which compares with *6 in 2020* and *18 in 2019*. The vast majority of these are/ have been formal complaints, which increases the resource implications. As per normal practice a summary of the *formal* complaints are provided (not informal ones). This does not cover the continuing volume of emails / correspondence received in relation to one of the local Councils below, which is a burden in terms of resources. The 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>
3/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	Referred for investigation following unsuccessful informal action (mediation).
5/2021 complaint against 3 District Councillors	Complaint about canvassing campaign during lockdown as alleged to be against government guidelines	No case to answer as no breach of Govt. guidelines.
6/2021 allegation relating to planning application and homeless shelter	Planning decision related.	No case on that complaint as to do with decision and avenues to pursue should the complainant wish to (3C's / LGO or Judicial Review).
7/2021 complaint against a Great Ashby Community Councillor.	Linked to 3/2021, that this complaint bullying and intimidatory, to confer an advantage or disadvantage and issues with GDPR.	No case to answer as this complaint was with reference to the complaint 3/2021.
8/2021 complaint against District Councillor	Treatment by a Cllr in the zoom surgery – alleged racism	Informal action recommended - training on unconscious bias & this undertaken.
9/2021 complaint against District Councillor	Treatment by a Cllr in the zoom surgery – alleged racism	No case to answer.
10/2021 complaint against 3 District Councillors (10-17 & 19 similar complaints, different complainants).	Planning permission approval for Homeless Shelter & treatment of person making representations. Also previous comments made by one of the Councillors against another District Councillor in October 2020.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not upheld against all Councillors.

	Further complaint then raised against one of the Cllrs regarding an interest and alleged failure to declare.	The further complaint issue did not merit further investigation, as there was no relevant (Disclosable or Declarable) interest to declare in respect of the application.
11/2021 complaint against 3 District Councillors	Planning permission approval for Homeless Shelter & treatment of person making representations.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not upheld against all Councillors.
12/2021 complaint against 3 District Councillors	Planning permission approval for Homeless Shelter & treatment of person making representations.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not upheld against all Councillors.
13/2021 complaint against 3 District Councillors	Planning permission approval for Homeless Shelter and the way the complainant was treated when they made their representations.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not upheld against all Councillors.
14/2021 complaint against 3 District Councillors	Planning permission approval for Homeless Shelter & treatment of person making representations.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not upheld against all Councillors.
15/2021 complaint against 3 District Councillors	Planning permission approval for Homeless Shelter & treatment of person making representations.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not upheld against all Councillors.
16/2021 complaint against 3 District Councillors	Planning permission approval for Homeless Shelter & treatment of person making representations.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not

		upheld against all Councillors.
17/2021 complaint against 3 District Councillors	Planning permission approval for Homeless Shelter, no specific Councillors listed – all Councillors/ decision.	As this appeared to be unnamed Councillors/ or Cllrs as a whole on the Committee, this related to a Council decision and therefore no case to answer under the Councillor complaints handling.
18/2021 complaint against District Councillor.	Reg of Interest - Company Information Request – alleged that the Councillor should have declared an interest on Register.	Person cited from companies house was not the District Councillor. This did bring to light another interest not registered – the Councillor informed that this should be put on the Register, this was updated and otherwise no case to answer.
19/2021 complaint against 2 District Councillors	Planning permission approval for Homeless Shelter & treatment of person making representations.	No case to answer, potentially related to a service, policy or Council decision, also considered under other criteria and not upheld against all Councillors.
20/2021 complaint against Sandon Parish Councillor	Use of social media	Councillor no longer a Cllr so complaint suspended under Procedure for up to 14 months, in the event returns as a Parish Councillor and would then be reassessed if relevant.
21/2021 complaint against a Knebworth Parish Councillor.	In relation to the Councillors private property.	Councillor not acting as a Councillor / or Parish Council business, so no case to answer.
22/2021 complaint against a Great Ashby Community Councillor.	Various allegations, including alleged behaviour at a meeting in December 2020 and data protection allegations against GACC.	Does not merit further action as relates to earlier one 3/2021 and 7/2021. Data disputes with the Council do not fall under the Code.
23/2021 complaint against a Great Ashby Community Councillor.	Decision of July to enact a decision from December 2020 meeting. Alleged false statements in relation to this and other meetings, alleged bullying and harassment.	Related to / linked to 3/2021.

24/2021 complaint against a Great Ashby Community Councillor.	Decision of July to enact a decision from December 2020 meeting. Alleged false statements in relation to this and other meetings, alleged bullying and harassment.	Related to / linked to 3/2021.
25/2021 complaint against a Great Ashby Community Councillor.	Decision of July to enact a decision from December 2020 meeting. Alleged false statements in relation to this and other meetings, alleged bullying and harassment.	Related to / linked to 3/2021.
26/2021 complaint against a Great Ashby Community Councillor.	Decision of July to enact a decision from December 2020 meeting. Alleged false statements in relation to this and other meetings, alleged bullying and harassment.	Related to / linked to 3/2021.
27/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	
28/2021 complaint against a Great Ashby Community Councillor.	Allegations dating back to June 2020 & December 2020.	Person was not a Cllr at the time of the behaviour therefore no case to answer.
29/2021 complaint against a Great Ashby Community Councillor.	Conduct in a meeting in December 2020.	Relates to / in response to complaints 3/2021 & 7/2021 decisions as above, therefore no further action.
30/2021 complaint against a Great Ashby Community Councillor.	Various allegations.	Person no longer a Councillor therefore no case to answer.
31/2021 complaint against a Great Ashby Community Councillor.	Behaviour May 2019, on alleged conflicts, emails to a political party; June 2020 and July 2020 meetings failure to treat with respect.	Historic complaint – previous complaints made in 2019/ others also. Same or similar complaints and out of time in any event, no case to answer.
32/2021 complaint against a District Councillor.	Ongoing.	
33/2021 complaint against Sandon Parish Councillor	Ongoing.	
34/2021 complaint against a District Councillor	Ongoing.	
35/2021 complaint against Sandon Parish Councillor	Ongoing.	
36/2021 complaint against Sandon Parish Councillor	Ongoing.	

37/2021 complaint against Sandon Parish Councillor	Ongoing.	
38/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	
39/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	
40/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	
41/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	

Member training

- 8.2 Training was provided following the election as part of the new Code of Conduct requirements through an external trainer – Paul Hoey (from Hoey Ainscough Associates), in 2 sessions to District Councillors and one to local Councillors. The training is also available internally for District Councillors via the Council’s YouTube account. The training is compulsory for District Councillors, as per the full Council decision of April 2021. As at the date of finalising this report, 5 District Councillors have not undertaken this training; this has been raised with the Councillors concerned and their relevant Group Leaders.
- 8.3 In respect of the local training – the Committee should be made aware that this was offered to all local councils in the District that had adopted the LGA mode or the NHC version of this (free of charge). Despite a large number of emails to the local councils and reminders, a low number signed up for this training in September with only 18 of in excess of 200 Councillors attending.

National standards matters

- 8.4 The Committee in Standards in Public Life has continued its investigations in to ethical standards. Most recently The Committee on Standards in Public Life published its Regulating Elections Finance: report in July 2021. This report is the Government’s response to the Committee’s review. <https://www.gov.uk/government/publications/government-response-to-regulating-election-finance>. CSPL’s statement: <https://www.gov.uk/government/news/lord-evans-statement-on-the-governments-response-to-the-committees-regulating-election-finance-report>
- 8.5 The Committee has also now published its consultation comments (from March) on the Cabinet Office consultation on transforming public procurement, highlighting their concerns over principles, transparency and the limited tendering undertaken by central government: https://www.gov.uk/government/publications/cspl-submission-to-cabinet-office-consultation-on-public-procurement?utm_medium=email&utm_campaign=govuk-notifications&utm_source=1e15e039-5eb6-437b-8fc3-25720765d787&utm_content=daily

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 other than again highlighting the ongoing resource implications for the complaints received during 2021.

16. APPENDICES

- 15.1 None.

17. CONTACT OFFICERS

- 16.1 Jeanette Thompson Service Director: Legal and Community (& Monitoring Officer):
Jeanette.thompson@north-herts.gov.uk ext. 4370

18. BACKGROUND PAPERS

17.1 None other than those referred to/ linked above.