

FULL COUNCIL
22 September 2022

PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

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 This is the Annual Report in relation to ethical standards for the last year. It covers the work of the Committee as well as the issues that have arisen locally and nationally on ethical standards matters.

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 The Alternative would be not to produce an annual report, but this would be contrary to the Committee on Standards in Public Life 2019 recommendations.

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 an Executive key decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

7.1 As Members will be aware, that there is a legal duty under section 27 of the Localism Act 2011 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

National standards matters

- 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. A link to the CSPL Report (as a reminder) can be found [HERE](#)
- 8.2 A response to the report recommendations were finally provided by the Government to this on 18 March 2022, which can be found [HERE](#). Those highlighted yellow on the linked document are for potential further consideration by Government / action, albeit that nothing has yet been tabled.
- 8.3 Otherwise, the Committee itself has raised a number of issues regarding the national governance picture, which was covered in its Standards matters 2 review (which can be found [HERE](#)). This *Upholding Standards in Public Life* report published in November 2021, voiced concerns over the need for independent regulation of the Ministerial Code, expansion of enforcement of the Business Appointment Rules through legal arrangements, proposals for the better independence of assessment panels and clearer rules / transparency around lobbying.

Local ethical standards

The Committee

- 8.4 The Standards Committee met twice since the last Annual Report – in October 2021 and June 2022 and has considered relevant standards matters (Complaints, Complaints Handling Procedure, training and related issues) covered below. *The Chair, Vice Chair and Independent Persons are currently considering ways to promote high standards.*

New Code

- 8.5 The CSPL report mentioned at 8.1 included 15 Best Practice recommendations. One of those related to the production of a Local Government Association (LGA) model code, which the LGA produced, and said they would review regularly. This was considered and adopted at North Herts in April 2021 (with minor amendments) with effect from May 2021. This was covered off in the previous Annual report – however, it formed the basis for some of the actions taken in 2021-22 detailed below.

Training

- 8.6 Training on the new Code was mandatory under the LGA model. This was provided in 2021 in two virtual sessions in June and July 2021 by one of those involved in drafting the new Code (Paul Hoey), with a mop up session in September, which was made available to the wider local Town, Parish and Community Councillors. It was made available internally via YouTube on the Council's Growzone. In terms of the former, all but two District Councillors undertook this training at the time.
- 8.7 The LGA also provided new guidance on the Code during 2021 and had also agreed to provide training material for the Code of Conduct that could be used in 2022. Before doing so, the LGA ran a round table discussion in January 2022, on draft templates, which the Monitoring Officer attended. These templates were then used as a basis for the Induction training provided to District Members (and a separate version for local Councillors) in May and June 2022, albeit that the original power point was some 91 pages long and required considerable editing before being used to deliver the training sessions. In all, 4 live sessions were provided by the Monitoring Officer and Deputies, with one of the sessions being

recorded and available for those that could not attend (available via YouTube/ the Council's Growzone).

- 8.8 Separately, the 3 Independent Persons have also attended annual training, which was discussed internally, with the aim of comparing our local procedures and best practice with others.
- 8.9 Training will continue to be reviewed and is available year-round, to District Members via Growzone.

Complaints Handling Procedure

- 8.10 Following the introduction of the new Code and LGA guidance, the North Herts Procedure was reviewed by the Committee in October 2021 [\[HERE\]](#). The LGA had circulated Guidance on the Code of Conduct Complaints Handling in October *after* the Council's report had been loaded on to mod.gov. Unlike the Code of Conduct itself, there had been no consultation (or round table discussion) to consider the form that their procedure would take.
- 8.11 At the meeting in October 2021, it was agreed that the Council would allow time to be in the new North Herts Procedure and then review this again in 2022.
- 8.12 It is worth noting that the aim of the North Herts Procedure from October, was to allow for a more local approach and resolution for Town, Parish and Community Council complaints (which it was hoped would be quicker, cheaper and more effective). The Committee reviewed the Procedure as a compare and contrast with the LGA version in June 2022, were content with the North Herts Procedure; however, resolved to review it again to allow for further time to be in.

North Hertfordshire complaints

- 8.1 It is fair to acknowledge that 2021 and 2022 has seen a much larger volume of complaints than in previous years. By the end of 2021 the Council had received 52 complaints and 28 so far in 2022. This has been very resource intensive and compares with *6 in 2020 and 18 in 2019*. A summary of those complaints and recorded outcome can be found in the reports to the Committee [Oct 22 HERE](#) and [June 22 HERE](#).

9. LEGAL IMPLICATIONS

- 9.1 Full Council receives an annual report as per 4.4.1 (ee). Whilst there is no overriding legislation that requires an annual report, this was introduced as part of Full Councils remit, following the CSPL report, as it is good practice to report such matters to membership as a whole.

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.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report as this is not a procurement or contract.

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.

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.