

TITLE OF REPORT: STANDARDS MATTERS REPORT

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

COUNCIL PRIORITY: A brighter future together

1. EXECUTIVE SUMMARY

1.1 The report updates Members of the Committee on standards issues locally and nationally. It contains a summary of the complaints received since the last report was presented with as well as any other relevant issues that have arisen between Committee meetings on national standards issues and training.

2. RECOMMENDATIONS

2.1. That the Committee notes the content of the report and makes any suggestions on future actions.

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 is kept informed of Monitoring Officer and standards matters issues monthly, 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. Any relevant standards matters comments from the IPs meetings are part of the regular briefings with Group Leaders.

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

North Hertfordshire complaints/ issues update

- 8.1 The Committee was last updated in June 2022 regarding the numbers of complaints/ summary and outcomes. By the end of 2022, the Council had received 30 complaints, of which two were informally made and resolved internally through action and apology. Of those 30 complaints, 20 were from the same complainant. So far for 2023 we have received 2 complaints, which is a vast improvement on previous years.
- 8.2 As per normal practice a summary of the complaints and decisions against Councillors is provided. This reporting below is compliant with the Committee on Standards in Public Life ('CSPL') good practice recommendations. Note, these are considered to be confidential unless they have reached a public stage of the Procedure and been concluded. 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.	Various allegations.	Suspended 9 October 2021 under the 14-month rule ¹ , following the subject member ceasing to be a Councillor. No re-election or co-option during that period and the complaint therefore lapsed with effect from 8 December 2022.
Concluded complaints from 2022 – were reported in June 2022		Standards Committee Standards matters report 22 June 2022
9/2022 complaint against District Councillor Elizabeth Dennis-Harburg, by Cllr Morgan Derbyshire.	Alleged to have releasing confidential information from a private internal Council meeting and emails to the press in January 2022.	Externally investigated. Monitoring Officer, in consultation with the Independent Person, accepted an apology in accordance with the Complaints Handling Procedure. Decision notice details can be found via this link: Decision notice 5.12.22
25/2022 complaint against District Councillor by another District Councillor.	Alleged Councillor use of Council resource to promote self.	Withdrawn by complainant.

¹ (ie under the Procedure, if a Councillor was re-elected or co-opted during that period the suspension would have been lifted, and complaint considered)

26/2022 complaint against a District Councillor by a member of staff.	Informally raised regarding comments at an internal meeting.	Monitoring Officer raised with the Councillor and an apology sent to the relevant staff.
27/2022 complaint against District Councillor by a member of the public.	Using the Council logo and branding on his social media page for videos.	No further action. Concluded genuine error and guidance provided to Member.
28/2022 District Councillor	Failure to complete register of interest within 28 days.	Monitoring Officer raised. No further action warranted, based on completion and explanation given.
29/2022 complaint against District Councillor by a member of the public.	Informal regarding licensing matter and alleged lobbying. Was asked to speak to the Councillor.	Monitoring Officer having consulted the IP, spoke to the Councillor, and provided advice.
30/2022 complaint against Parish Councillors by a member of the public.	Ongoing.	Ongoing. Clarification sought from the complainant.
1/2023 complaint against a Town Councillor by Councillor	Alleged failure to declare an interest.	No further action.
2/2023 complaint against a District Councillor by Councillor	Complaint in relation to a Planning Control Committee meeting and alleged interests.	No further action as no interests identified.

Councillor training & IP training

- 8.3 Councillor training was provided in May 2022 in four sessions to District Councillors (one remote, one in person) and offered to local councillors remotely. The former was compulsory for new Councillors, however, not for the latter. One of the District Council sessions was recorded and made available to those that could not attend the live sessions. All relevant District Councillor attended the session other than one. That Councillor was a returning Councillor and had attended the training in 2021 – therefore no further action was taken on that issue.
- 8.4 The Local Government Associations training material was used and adapted as previously reported through to the Committee in June. Further training will be offered as part of the induction to Councillors in or around May/ June of 2023.
- 8.5 The IPs attended the annual IPs training provided by Paul Hoey in June 2022. This was a good opportunity to be updated on national issues and share good practice.

National standards matters

- 8.5 As Councillors will see from the CSPL Blog in December, the Chair's view that there is a need to pay proactive attention to standards, and to update and strengthen the structures centrally and locally:

<https://cspl.blog.gov.uk/2022/12/19/proactive-attention-to-standards-is-necessary/>

- 8.6 As part of the 2022 Monitoring Officer conferences, the National Association of Local Councils ('NALC') have been promoting their 'Civility & Respect' agenda and the Civility and Respect Project team established by NALC, One Voice Wales, the Society of Local Council Clerks (SLCC) and county associations. They have revised the Local Government Association (LGA) Code of Conduct supporting guidance "to better reflect the sector's needs". The Civil and Respect Project team said the supporting guidance was "a beneficial document but not tailored to the nuances of local (parish and town) councils".

<https://www.nalc.gov.uk/our-work/civility-and-respect-project#code-of-conduct-supporting-guidance>

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 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):
Jeanette.thompson@north-herts.gov.uk ext. 4370

18. BACKGROUND PAPERS

17.1 None other than those referred to/ linked above.