



# Democracy and Standards Committee

A meeting of the Democracy and Standards Committee will be held at the The Guildhall, St Giles Street, Northampton, NN1 1DE on Thursday 25 January 2024 at 6.00 pm

## Agenda

1.	<b>Appointment of Chair of the Democracy and Standards Committee</b>
2.	<b>Apologies for Absence and Notification of Substitute Members</b>
3.	<b>Declarations of Interest</b> Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
4.	<b>Minutes</b> (Pages 5 - 10) To confirm the Minutes of the meeting of the Committee held on 15 <sup>th</sup> November 2023.
5.	<b>Chair's Announcements</b> To receive communications from the Chair.
6.	<b>Statistics - Code of Conduct Arrangements Annual Review</b> (Pages 11 - 22) To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct
7.	<b>Councillor Development Programme 2023 -2025 - Progress report</b> (Pages 23 - 32) To provide an update on member training for the Committee's information and seeks support for the classification and requirements in relation to the member training programme

8.	<p><b>West Northamptonshire Community Governance Review: Update</b> (Pages 33 - 38) To provide an update on the Community Governance Review</p>
9.	<p><b>Updates to the Constitution</b> (Pages 39 - 42)</p>
10.	<p><b>Appointment of Independent Persons</b> (Pages 43 - 46)</p>
11.	<p><b>Appointment of non-elected Co-opted Members of the Audit and Governance Committee</b> (Pages 47 - 50)</p>
12.	<p><b>Committee Work Programme 2024/2025</b> (Pages 51 - 56) To consider and approve the Committee Work Programme for 2024/2025.</p>
13.	<p><b>Urgent Business</b> The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.</p>
14.	<p><b>Exclusion of Press and Public</b> In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them"</p>

Catherine Whitehead  
Proper Officer  
17 January 2024

**Democracy and Standards Committee Members:**

Councillor Andrew Grant (Vice-Chair) Page 2

Councillor Daniel Cribbin  
Councillor Nigel Hinch  
Councillor Cecile Irving-Swift  
Councillor Cathrine Russell

Councillor Jonathan Harris  
Councillor Andrew Kilbride  
Councillor Wendy Randall

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence and the appointment of substitute Members should be notified to [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk) prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Evacuation Procedure**

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

### **Access to Meetings**

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

### **Mobile Phones**

Please ensure that any device is switched to silent operation or switched off.

### **Queries Regarding this Agenda**

If you have any queries about this agenda please contact Tracy Tiff / Marina Watkins, Democratic Services via the following:

Tel: 01604 837408 / 01327 302236

Email: [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk)

Or by writing to:

West Northamptonshire Council  
The Guildhall  
St Giles Street  
Northampton  
NN1 1DE



## **Democracy and Standards Committee**

Minutes of a meeting of the Democracy and Standards Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Wednesday 15 November 2023 at 6.00 pm.

### **Present:**

Councillor Suresh Patel (Chair)  
Councillor Andrew Grant (Vice-Chair)  
Councillor Daniel Cribbin  
Councillor Jonathan Harris  
Councillor Nigel Hinch  
Councillor Andrew Kilbride  
Councillor Cecile Irving-Swift  
Councillor Wendy Randall  
Councillor Cathrine Russell

### **Officers:**

Cath Whitehead, Director of Legal and Democratic  
Stuart Timmis, Executive Director Place & Economy  
Sarah Hall, Deputy Director Law and Governance  
Paul Hanson - Head of Democratic and Elections  
Nicki Agalamanyi, Head of Legal (Corporate)  
Mark West, Electoral Services Manager  
Tracy Tiff, Deputy Democratic Services Manager  
Marina Watkins, Committee Officer  
Quentin Loeber La' Grue, Democratic & Elections Trainee

## 99. **Declarations of Interest**

None advised.

## 100. **Minutes**

### **RESOLVED:**

That the Minutes of the Democracy and Standards Committee held on 12<sup>th</sup> September 2023 be approved and signed as a correct record.

## 101. **Chair's Announcements**

None advised.

**102. Proposed amendments to the Constitution**

The Head of Democratic and Elections presented the report and outlined the proposed changes, which included updates to the financial procedure rules and alterations to address the secondment of the Executive Director Corporate to Children's Services.

**RESOLVED:**

That the Democracy and Standards Committee:

- a) Noted and approved the recommendations to Council relating to updates to the Constitution as set out in Section 5 of the report; and
- b) Delegated to the Monitoring Officer the power to make these amendments and any consequential amendments that may be necessary.

**103. Changes to Planning Committees - Six Month Review**

The Head of Democratic and Elections outlined the report, which detailed the changes made to the Planning Committees earlier in the year. Members were asked to indicate the information and timescales required to carry out a review of the new structure.

Councillor Phil Bignell, Chair of Strategic Planning addressed the Committee and asked that the Chairs of the Planning Committees be included in the review. Consideration should be given to Call ins and whether they were successful or not. Evidence should be gathered on the number of speakers at meetings as an indicator of public engagement, and whether the 6pm start times were appropriate.

The Executive Director advised that a commitment had been made to return to the Committee to review the new Planning Committee arrangements. Members could indicate the statistics required and an appropriate time scale.

The Committee considered that the following points should be taken into account:

- It is currently too premature to take a decision. Further data is required
- Call-ins should be reviewed.
- How many meetings have been cancelled and why? Is it due to delegated powers?
- There were no concerns about the number of committees. Two appeared to be sufficient.
- Start times of committees had been discussed at length at Council and it was advisable not to revisit the matter.
- There were some problems with the technology during earlier meetings, but the issues had now been resolved
- The role of the Planning Policy Committee should be considered as part of the review.

- The Chairs of the Planning Committees and the Planning members should be canvassed during the review.
- The March meeting of the Democracy and Standards Committee should be brought forward to enable the review to be reported to Council on 21<sup>st</sup> March.

**RESOLVED:**

That the Democracy and Standards Committee:

- a) Considered the changes adopted by the Council and determined that a review should be undertaken and reported to Council on 21<sup>st</sup> March 2024.
- b) Considered that further evidence and information was required in order to conduct a review, including statistical data regarding application numbers and the number of speakers. The role of Planning Policy Committee should also be considered during the review.

**104. Proposed amendments to the Member Complaints Procedure**

The Deputy Director Law and Governance outlined the report in relation to proposed amendments to the member complaints procedure, which included:

- The initial assessment criteria had been clarified
- All complaints would be discussed with an Independent Person
- Timeframes had been added where appropriate
- The complainant would only remain anonymous in extreme circumstances
- Hearings would generally be held in public, with parts of the report or process taking place in private session where appropriate
- The timeframe of the investigation would be discussed and agreed with the Investigating Officer

Councillor Phil Bignell addressed the Committee and considered the proposed changes to be beneficial, particularly the arranging of a pre-hearing and the provision of an end date for the process. Naming contacts to provide advice and well-being support was very positive.

Councillor Bignell considered that the Monitoring Officer presiding at the Hearing should have no knowledge of the case. The Monitoring Officer advised that she was not involved in the details of the case but was present to apply process. The Independent Investigator was enlisted to look into the detail of the complaint.

Councillors welcomed the changes. It was suggested that the new process should be communicated to the parish councils.

With regards to criminal matters being referred to the Police, the Monitoring Officer advised that the vast majority of issues would be very minor in nature, with the Police unlikely to investigate. e.g. the failure to register an interest.

**RESOLVED:**

That the Democracy and Standards Committee approved the amendments to the revised draft Arrangements at Appendix 2 and referred them to full Council for approval.

**105. Community Governance Review - Update**

The Head of Democratic and Elections outlined the report which provided an update on the Community Governance Review.

Consultation was due to commence shortly, with an online questionnaire to be produced. There would be engagement with ward councillors for any areas under review. Work had been ongoing with NCALC (Northamptonshire County Association of Local Councils) to run an on line briefing for affected areas.

Councillors were encouraged to discuss the review with their parish councils and residents.

**RESOLVED:**

That the Democracy and Standards Committee agreed the Consultation Plan for the community governance review of parishes in West Northamptonshire, as set out at Appendix 1 of the report

**106. Election Fees and Charges**

The Electoral Services Manager outlined the report, which proposed to update the fees for election staff and to ensure that the fees were aligned to the limits set by the Department for Levelling Up Housing and Communities (DLHUC).

The Elections team had met colleagues from North Northamptonshire Council in order to match the fees proposed across both authorities. This had been accepted by North Northamptonshire councillors.

**RESOLVED:**

That the Democracy and Standards Committee approved all the changes to the fees and charges within the Scale of Fees at Appendix B to the report.

**107. Review of Committee Work Programme**

Consideration was given to the Democracy and Standards Committee Work Programme.

The Deputy Democratic Services Manager advised of two items requested by Councillor Nigel Hinch:

- 'Is there a reason why the declaration councillors complete, and sign is not simply uploaded in the format submitted without the need for it to be transcribed by Democratic service which could and has led to errors occurring.'



The Monitoring Officer advised that this could be done, but would require a new form each time a change was made. The majority of Councillors were content to send an email detailing the change, which was then made to the forms. It was noted that the errors had been identified and corrected.

- 'I also recall a discussion regarding increasing the value for report of gifts received from £10 to a higher figure.'

The Monitoring Officer was content to increase the value of reporting of gifts received to £25. Human Resources (HR) would be contacted to ensure consistency across officers and councillors.

It was noted that the *offer* of a gift should be reported, even if that gift is declined.

**RESOLVED:**

That the Committee Work Programme is noted.

108. **Urgent Business**

None advised.

The meeting closed at 7.30 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_

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**WEST NORTHAMPTONSHIRE COUNCIL**  
**DEMOCRACY AND STANDARDS COMMITTEE**

**25 January 2024**

<b>Report Title</b>	<b>STATISTICS - CODE OF CONDUCT ARRANGEMENTS - UPDATE</b>
<b>Report Author</b>	<b>Tracy Tiff, Deputy Democratic Services Manager,</b> <a href="mailto:tracy.tiff@westnorthants.gov.uk">tracy.tiff@westnorthants.gov.uk</a>

<b>Contributors/Checkers/Approvers</b>		
<b>MO</b>	Catherine Whitehead	
<b>Deputy MO</b>	Sarah Hall	
<b>S151</b>	Martin Henry	
<b>Communications Lead/Head of Communications</b>	Becky Hutson	

**List of Appendices**

None.

**1. Purpose of Report**

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- 1.1 The report provides detailed statistics for the Committee's information in relation to Member Code of Conduct complaints dealt with under the Member Complaints Procedure (the "Arrangements").

**2. Executive Summary**

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- 2.1 This report provides the Committee with a precis of each completed complaint and any outstanding complaints of alleged breaches of the West Northamptonshire Council ('WNC') Code of Conduct or of Parish or Town Codes of Conduct, since the complaints statistics were last reported to the Committee at its meeting on 12 September 2023. Any complaints that were reported to the September 2023 meeting that are still live have been included within the information detailed at paragraph 4.1 below. Since the September 2023 meeting of this Committee, Officers have worked on the complaints. The majority of the complaints that were live in January 2023 are now closed as detailed in paragraph 4.1 below.
- 2.2 Having oversight of this information in relation to Code of Conduct complaints is part of the Committee's duty to discharge standards functions by promoting and maintaining high standards of conduct within WNC and Town and Parish Councils within the area of West Northamptonshire.

### **3 Recommendation**

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- 3.1 It is recommended that the Democracy and Standards Committee notes the statistics in relation to the number of complaints received and dealt with, in respect of the WNC Members' Code of Conduct and of Codes of Conduct adopted by Town and Parish councils within West Northamptonshire.
- 3.2 **Reason for Recommendation**

The Committee is recommended to receive the statistical data to:

- a) enable it to carry out its Standards responsibilities effectively; and
- b) to enable it to identify whether there are any patterns or common themes in the type of complaints received and to consider whether all Members would benefit from training on any matter relating to Member conduct to enable them to fulfil their public functions effectively.

### **4 Report Background**

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- 4.1 WNC's Constitution specifies that one of the purposes of the Democracy and Standards Committee is, "*to oversee and develop the Council's Code of Conduct and the overall standards of conduct for Council Members, co-opted Members, and Parish and Town Councillors of West Northamptonshire.*" Therefore, statistical data in relation to complaints received and dealt with is provided to inform this role of the Committee.

#### **Complaints – Members' Code of Conduct**

- 4.2 The adopted arrangements for dealing with allegations of breach of the WNC Members' Code of Conduct and of Codes of Conduct adopted by Town/Parish Councils provides for an initial filtering process by the Monitoring Officer and in consultation with one of the Independent Persons to decide whether: -
- There is no breach of the Code, and no further action should be taken; or
  - There is a potential breach of the Code and informal resolution is appropriate, to include for example mediation, training, apology, advice; or
  - There is a potential breach of the Code, and the Monitoring Officer should undertake or commission an investigation into the complaint.
- 4.3 The analysis in this report provides details of the nature of the complaint, the initial filtering decision of the Monitoring Officer, any informal resolutions agreed (where applicable), and the status of the complaint.
- 4.4 Some specific detailed information regarding pending complaints has not been provided as this may be prejudicial to the conduct of the ongoing complaints process. Personal details have also not been included to protect both the identity of councillors and the complainant.
- 4.5 Details of Code of Conduct complaints are set out below.

**Information regarding "live " complaints in accordance with the Code of Member Conduct that were provided to the meeting of the Democracy and Standards Committee – 12 September 2023 and have now been updated.**

Where a complaint has since been closed, this is detailed within the status column below.

<b>Date received</b>	<b>Council</b>	<b>Assessment of the Monitoring Officer</b>	<b>Status</b>
28/02/22 and 01/03/22	<b>Parish Council</b> Complaint against a Councillor regarding alleged linguistic racism and aggressive behaviour during a meeting.	The Deputy Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code. The complaint was referred to investigation.	Closed. The Deputy Monitoring Officer has met with the Subject Member and re-assessing the complaint
13/10/22 and 15/11/22	<b>Parish Council</b> Four complaints received regarding a number of Councillors and their alleged aggressive and impartial behaviour during a Parish Council meeting.	The Deputy Monitoring Officer has assessed the complaint and consulted the Independent Person and recommended to the Parish Council that the subject Members attend relevant training.	Closed.
14/10/22	<b>Parish Council</b> Complaint received regarding alleged abusive comments within correspondence.	The Deputy Monitoring Officer has assessed the complaint and consulted the Independent Person and decided that it is not in the public interest to investigate the complaint. Governance training was recommended to the Parish Clerk for all Members of the Parish Council.	Closed
8/11/22	<b>West Northants Council and Parish Council</b> Complaint received regarding alleged disrespectful behaviour of the subject Member	The Deputy Monitoring Officer consulted the Independent Person on the complaint decided that this complaint referred to a right of way and is outside the remit of the Code of Conduct complaints process and therefore no further action.	Closed
15/11/22	<b>West Northants Council</b> Complaint received against three Members regarding alleged pre-determination regarding a Planning application. Behaviour in relation to one member.	The Deputy Monitoring Officer assessed the complaint with the Independent Person – Referred for investigation.  The investigator found one Subject Member was found to have failed to comply with paragraph 3.1 (members must treat others with respect.)of the Code, on the basis that they did not treat the Senior Planning Officer with respect and	Closed

that they involved themselves as a Committee member in both the discussion and decision to reject the aforementioned planning application despite having predetermined their position on it and recommended that the subject Member be found to have failed to comply with paragraphs 3.8 (members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or the Authority into disrepute) and 3.12 (members must not use their position improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage) of the Code.

A Standards Hearing was held and it was resolved:

The Hearings Sub-Committee found that the Subject Member had not breached paragraph 3.1 of the West Northamptonshire Code of Conduct.

The Hearings Sub-Committee found that the Subject Member had breached paragraph 3.8 and 3.12 of the West Northamptonshire Code of Conduct in that they had predetermined the decision and in doing so had improperly used their position as a councillor to disadvantage the applicant which could be regarded as having brought the Council into disrepute.

Sanctions applied:

(a) Findings in respect of the Member's conduct be published; (b) Recommend to the Member's Group Leader that the Subject Member is suspended as a member of the Strategic Planning Committee and Planning Policy Committee for a period of three months from 1 June 2023.

(c) Instruct the Monitoring Officer to arrange individual training for the

		Member to take place during the 3-month Committee suspension period.	
05/12/22	<b>Parish Council</b> Complaint received regarding alleged aggressive behaviour by the subject Member at a meeting of the Parish Council	The Deputy Monitoring Officer undertook an initial assessment of the complaint with the Independent Person. It was the view of the Deputy Monitoring Officer that an investigation would not be proportionate and in the public interest. The complaint was not considered to be sufficiently serious and the Deputy Monitoring Officer considered that there may be a tit for tat element to this complaint. The Deputy Monitoring Officer therefore decided that no further action should be taken.	Closed
6/12/22	<b>Parish Council</b> Complaint relates to a Member appointment and a previously closed complaint following the resignation of the subject Member.	A response has been provided regarding the appointment process and a review took place regarding the previously closed complaint as the subject Member is once again a Member. The Deputy Monitoring Officer confirmed that there is no right of appeal to the Deputy Monitoring Officer's decision not to re-open the complaint.	Remained closed

**Code of Conduct Complaints received from January 2023 – 1 August 2023**

<b>Date received</b>	<b>Council</b>	<b>Assessment of the Monitoring Officer</b>	<b>Status</b>
16/01/23 WNC01	<b>WNC</b> Complaint received regarding comments made by a Councillor on his personal social media account	The Deputy Monitoring Officer assessed the complaint with the Independent Person and decided that no action should be taken in respect of the complaint as it was deemed that the subject Member was not acting as a Councillor as this social media account related to them as an individual and not as a Councillor of WNC.	Closed
23/01/23 WNC02	<b>Parish Council</b> The complainant makes allegations of bullying and aggression by the subject Member	The Deputy Monitoring Officer assessed the complaint with the Independent Person and decided that no action should be taken in respect of this complaint as it is outside the scope of the remit of the	Closed

		standards complaints process as it refers to a long-standing legal dispute.	
27/02/23 WNC03	<b>Parish Council</b> The complaint relates to the subject Member signing letters for works to be undertaken	A formal complaint was not submitted therefore the complaint file was closed	Closed
07/03/23 WNC05	<b>Parish Council</b> The complaint relates alleged aggressive behaviour (same complaint as WNC06)	The Deputy Monitoring Officer closed the complaint as the subject Member is no longer a Parish Councillor.	Closed
07/03/23 WNC06	<b>Parish Council</b> The complaint relates alleged aggressive behaviour (same complaint as WNC05)	The Deputy Monitoring Officer closed the complaint as the subject Member is no longer a Parish Councillor.	Closed
27/02/23 WNC07	<b>Parish Council</b> The complaint relates to alleged divisive and untrue information published on the Parish Council's social media site	The Deputy Monitoring Officer assessed the complaint with the Independent Person and decided that the complaint is outside scope as it relates to the Parish Council not the subject Member.	Closed
21/03/23 WNC08	<b>Parish Council</b> The complaint relates to alleged disrespectful and misogynistic tones by the subject Member during a Parish Council meeting	The Deputy Monitoring Officer assessed the complaint with the Independent Person and further information from the complainant was requested. After four weeks this information was not received, therefore the complaint was closed.	Closed
10/03/23 WNC09	<b>WNC</b> The complaint relates to a lack of response from an email to the subject Member	The Deputy Monitoring Officer assessed the complaint with the Independent Person and decided this complaint was outside scope and therefore closed.	Closed
05/04/23 WNC10	<b>Parish Council</b> The complaint relates to alleged poor governance of the Parish Council, incorrect completion of Register of Interest and bullying	This complaint is currently being pre-assessed by the Deputy Monitoring Officer	Live – This complaint is being assessed – further information has been requested from the complainant.
27/4/23 WNC12	<b>WNC</b> The complaint relates to the subject Member's alleged aggressive dog	The Deputy Monitoring assessed the complaint together with the Independent Person, and decided it was outside scope as the subject	Closed



		Member was not acting in their capacity as a Councillor	
03/05/23 WNC13	<b>Parish Council</b> The complaint relates to incomplete Register of Interest of the subject Member	The Deputy Monitoring assessed the complaint together with the Independent Person and decided that the complaint should be closed as the subject Member had updated their Register of Interest.	Closed
04/05/23 WNC14	<b>Parish Council</b> The complaint relates to alleged disrespectful behaviour of the subject Member	The complaint was submitted on behalf of a number of Councillors. All have been individually contacted to ascertain if they want to submit the complaint themselves. Complaint forms have not been received and the complaint is therefore closed but a new file will be opened should a complaint form(s) be received.	Closed
09/05/23 WNC15	<b>Parish Council</b> The complaint relates to alleged bullying behaviour of the subject Member	The Deputy Monitoring Officer assessed the complaint together with the Independent Person. No further action as the subject member is no longer a Councillor, however it was be recommended to the Chair of the Parish Council that they host governance/Code of Conduct training for all members of the Parish Council.	Closed.
23/05/23 WNC16	<b>Parish Council</b> The complaint relates to alleged bullying behaviour of the subject Member	The Deputy Monitoring Officer assessed the complaint with the Independent Person and agreed to close the complaint as it is outside scope of the Code of Conduct complaints process.	Closed
05/07/23 WNC17	<b>WNC</b> The complaint relates to the alleged incomplete Register of Interest forms of three Members	The Deputy Monitoring Officer assessed the complaint and had dialogue with the subject Members regarding the completion of their Register of Interest forms that were updated where applicable.	Closed
05/07/23 WNC18	<b>Parish Council</b> The complaint relates to the alleged incomplete Register of Interest forms of the subject Member	The Deputy Monitoring Officer assessed the complaint together with the Independent Person – Register of Interest was updated.	Closed
02/07/23 WNC19	<b>WNC</b> The complaint alleges that the subject Member	The Deputy Monitoring Officer assessed the complaint together with the Independent Person. The	Closed

	has brought the Council into dispute by their actions.	subject Member issued a public apology and had not intended to bring the Council into disrepute.	
22/05/23 WNC19A	<b>Parish Council</b> The complaint related to both the Parish Clerk and a Parish Council regarding alleged bullying behaviour	The Deputy Monitoring Officer assessed the complaint together with the Independent Person. The aspect of the complaint in relation to the Parish Clerk was outside the scope of the Arrangements. The aspect of the complaint regarding the Parish Councillor was closed as from the information supplied to the Monitoring Officer from the Complainant, we were unable to consider the complaint any further due to a lack of substantive evidence.	Closed
13/07/23 WNC20	<b>WNC</b> The complaint refers to the subject Member's alleged lack of engagement with the community.	The Deputy Monitoring Officer assessed the complaint with the Independent Person and agreed this complaint is out of scope as it relates to lack of engagement by the ward Councillor. The extent to which ward Councillors engage with the local community is not within scope.	Closed
01/08/23 WNC21	<b>Parish Council</b> The complaint refers to the three subject Members allegedly acting outside the governance [processes] of the Parish Council	The complaint is being pre-assessed by the Deputy Monitoring Officer and considered in conjunction with complaint WNC10.	Live. This complaint is being assessed – further information has been requested from the complainant.

### Code of Conduct Complaints received from 2 August 2023 – 31 December 2023

Date received	Council	Assessment of the Monitoring Officer	Status
21/08/23 WNC22	<b>Parish Council</b> The complaint refers to financial issues of the Parish Council.	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed – no further action as the complaint relates to the governance of the	Closed

		Parish Council and is not within the scope of the Arrangements.	
12/09/23 WNC23	<b>Parish Council</b> The complaint refers to alleged bullying and disrespectful behaviour of a Parish Councillor	This complaint is currently being pre-assessed	Live - Information from the subject Members and complainant is being sought
26/09/23 WNC24	<b>Parish Council</b> The complaint refers to alleged disrespectful behaviour of a Parish Councillor	This complaint is currently being pre-assessed	Live - Information from the subject Members and complainant has been sought
28/08/23 WNC25	<b>Parish Council</b> The complaint refers to alleged disrespectful behaviour of the Subject Member.	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed – no further action as further information was requested of the complainant which was not provided	Closed
18/08/23 WNC26	<b>WNC</b> The complaint refers to alleged disrespectful behaviour of the Subject Member.	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed – Not in the public interest to investigate as the Subject Member had done all they could to assist the complainant with their query.	Closed
29/09/23 WNC27	<b>WNC</b> The complaint refers alleged disrespectful comments made on social media by the Subject Member	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed due to the fact that future requested information of the complainant had not been received.	Closed
29/09/23 WNC28	<b>Parish Council</b> The complaint refers to alleged financial issued.	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed due to the fact that future requested information of the complainant had not been received.	Closed
25/09/23 WNC29	<b>PFCP</b> The complaint refers to alleged bullying and disrespectful behaviour of the Subject Member	This complaint is currently being pre assessed	Live - being pre assessed together with complaint WNC35
20/10/23 WNC30	<b>WNC</b> The complaint refers to alleged disrespectful behaviour of the Subject Member	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed – outside the Scope of the Arrangements.	Closed
26/08/23 WNC31	<b>WNC</b>	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed –	Closed

	The complaint refers to alleged behaviour of the Subject Member.	outside the Scope of the Arrangements. The Subject Member was not acting in the capacity of a Councillor	
28/10/23 WNC32	<b>Parish Council</b> The complaint refers to the governance arrangements of the Parish Council.	The Deputy Monitoring Officer assessed the complaint with the Independent Person. Closed – outside the Scope of the Arrangements.	Closed
13/11/23 WNC33	<b>Parish Council</b> The complaint refers to alleged bullying disrespectful behaviour of the Subject Member	The Deputy Monitoring Officer is pre assessing the complaint.	Live – Pre-assessment stage
16/11/23 WNC34	<b>WNC</b> The complaint refers to the alleged incomplete ROIs of four Councillors	The Deputy Monitoring Officer instructed Officers to liaise with the four Councillors regarding the completion of their ROIs	Closed
17/11/23 WNC35	<b>PFCP</b> The complaint refers to alleged bullying and disrespectful behaviour of the Subject Member	This complaint is currently being pre assessed	Live – This complaint is being pre assessed together with complaint WNC29
17/11/23, 22/11/23 and 23/11/23 WNC36, WNC37, WNC38	<b>WNC/Parish Council</b> Three complaints refer to the alleged bully and disrespectful behaviour of the Subject Member	This complaint is currently being pre assessed	Live
18/12/23 WNC39	<b>WNC</b> The complaint relates to alleged disrespectful behaviour of the Subject Member	Complaint to be pre-assessed	Live

## 5 Issues and Choices

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5.1. Members are asked to note the information provided in respect of the Code of Conduct complaint process and complaints received.

## 6 Implications (including financial implications)

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### 6.1 Resources and Financial

6.1.1 There are no financial implications arising from the recommendation.

6.1.2 There are no Officer cost and time implications arising directly from this report, however, the Committee will be aware that the handling and processing of complaints is resource intensive.

high volume of complaints could have an impact upon resources. It is therefore important that the Committee promotes and maintain high standards of conduct by all Councillors to help limit the number of complaints.

## 6.2 **Legal**

6.2.1 The Council has a statutory duty under section 27 of the Localism Act 2011, to promote and maintain high standards of conduct by members and co-opted members of the Council. In discharging its duty, the Council must adopt a code dealing with the conduct that is expected of Members when they are acting in that capacity.

6.2.2 Under Section 28 of the Localism Act 2011, the Council must have in place 'arrangements' under which allegations that an elected or co-opted councillor of the Council or of a town or parish council within West Northamptonshire has failed to comply with the relevant Code of Conduct, can be considered and decisions made. It is for the Council to decide the details of those arrangements, but they must appoint at least one Independent Person whose views are to be taken into account before making a decision to investigate a complaint.

6.2.3 Complaints are received in accordance with the arrangements for dealing with allegations of breaches of the West Northamptonshire Members' Code of Conduct and of Codes adopted by Town/Parish Councils within West Northamptonshire. The Council has a legal duty to respond to such complaints.

## 6.3 **Risk**

6.3.1 There are none specifically.

## 6.4 **Communication and Consultation**

6.4.1 This is an update report which monitors complaints handling and is therefore not appropriate for wider consultation.

## 6.5 **Consideration by Overview and Scrutiny**

6.5.1 This is an update report which monitors complaints handling and it is therefore not appropriate to be referred to Overview and Scrutiny.

## 6.6 **Climate Impact**

6.6.1 There are no immediate climate implications arising from this report.

## 6.7 **Community Impact**

6.7.1 There are no immediate community implications arising from this report.

## **7 Background Papers**

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Complaints received in respect of the arrangements for dealing with allegations of breaches of the West Northamptonshire Members' Code of Conduct and of Codes of Conduct adopted by Town/Parish Councils

within West Northamptonshire. These records contain exempt information (Categories 1 (Information relating to any individual) and 2 (Information which is likely to reveal the identity of an individual))

**WEST NORTHAMPTONSHIRE COUNCIL**  
**DEMOCRACY AND STANDARDS COMMITTEE**

**24 January 2024**

<b>Report Title</b>	<b>Councillor Development Programme 2023 -2025 – Progress report</b>
<b>Report Author</b>	<b>Tracy Tiff, Deputy Democratic Services Manager, <a href="mailto:tracy.tiff@westnorthants.gov.uk">tracy.tiff@westnorthants.gov.uk</a></b>

<b>Contributors/Checkers/Approvers</b>		
<b>Monitoring Officer</b>	Catherine Whitehead	12/1/24
<b>S151 Officer</b>	Martin Henry	16/1/24

**List of Appendices**

**Appendix A - Statistics Member Development and Member briefing**

**1. Purpose of Report**

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- 1.1 This report provides a progress report on Councillor Development programme for the Democracy and Standards Committee's (the Committee) information.

**2. Executive Summary**

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- 2.1 As reported to the March, June and September 2023 meetings of this Committee, the Member Development programme for 2023/2024 concentrated mainly on training for Planning Members and training for Overview and Scrutiny.
- 2.2 The mandatory training for Planning Committee members took place during June 2023 and all members and named substitute members of the Planning Committees have received the required training. A further mandatory training session for Planning Committee members around that concentrated on meeting management, questioning skills and behaviours at the meetings of Planning Committee took place in November 2023. All session were delivered by expert Planning training providers.
- 2.3 A suite of training for members of the Overview and Scrutiny Committees commenced in July 2023 and concluded in November 2023. It was externally delivered by senior Officers of the Centre for Governance and Scrutiny (CfGS): the training had been tailored to the Council's requirements in order to reflect the improvement plans for Overview and Scrutiny as proposed by the CfGS. The schedule included:

- Understand scrutiny including its role, principles, and value

- Chairing skills
- Questioning skills
- Budget Scrutiny and finance scrutiny
- Performance, finance, and risk
- Work programming

- 2.4 All newly appointed members and named substitute members of the Licensing Committee have received the required training to enable them to sit on this Committee and Hearings Panels. A training session was held on 20 December 2023 for all members and named substitute members of the Licensing Committee. This training session concentrated on new Taxi Licensing Policies.
- 2.5 Dates for monthly member briefings are including in the Councillor meeting diary and topics added to these as requests are received. There has been a full Member briefing programme this year will be offered to Members during the year which has been well attended. Further details are contained within section 4 of this report.

### **3. Recommendations**

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3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes and provides comment on the further progress undertaken on the Councillor Training Programme for 2023/24 and takes into consideration feedback received regarding the delivery and training providers of key Councillor Development sessions.
- b) Approves the delivery of future Councillor Development sessions by internal Officers, different external training providers or a mix of both.
- c) Considers other potential opportunities to deliver and promote learning and development opportunities for Councillors.
- d) Confirms that training for all Members of the Democracy and Standards Committee on the process for Hearing sub-Committees is scheduled and delivered by the Monitoring Officer.

#### **3.2 *Reasons for Recommendations***

3.2.1 The recommendations are intended to:

- a) Enable the Committee to receive a progress report regarding the Councillor development programme, noting feedback received, and provide Councillors with an opportunity to suggest further training requirements that they feel are required.
- b) Enable the Committee to consider the various opportunities available to promote learning and development for Councillors.
- c) Ensure all Members of the Democracy and Standards Committee are training on the process for Hearing sub-Committees.



## **4. Report Background**

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### **Councillor Development**

- 4.1 The Standards responsibilities of the Committee includes advising, training, or arranging training for Councillors and co-opted Members of the Council, Parish and Town Councils on matters relating to the Councillor Code of Conduct and the Planning Code of Conduct. Councillor training is a wider issue and particularly for a new Council it is important that there is oversight of the Councillor training programme to ensure that Councillors have the skills they need to support effective decision making.
- 4.2 Councillor development includes training and development opportunities as well as activities, programmes and briefings that are offered to elected Councillors by West Northamptonshire Council which support Councillors to carry out their roles effectively. A well-designed training programme helps to ensure decision making is robust and contributes to the effective management of risks identified by the Council.

### **Mandatory Training - Planning Committee Members**

- 4.3 Mandatory training for Members and named substitute Members of the Planning Committees took place in June 2023 and two identical sessions were held in order that all Members could attend. It was delivered by senior internal officers together with a highly recommended external training provider. All Members and named substitute Members to the Planning Committees have received the required training. In addition, a number of Councillors who are not members or substitute Members of a Planning Committee attended one of the training sessions. Feedback received from these sessions were that it was well received and it has led to an improvement in debate and decision making undertaken at the Committee meetings.

### **LGA training delivered training - Planning**

- 4.4 In addition to the mandatory training for Members of Planning Committees as detailed above; discussions took place with Local Government Support Officers at the LGA regarding further training. A training plan was produced by Officers of the LGA. The training was around behaviours, questioning techniques, how to deal with officers appropriately in planning committee meetings and how to be effective in a planning committee. The training was held on 20 November 2023 and was delivered by the Officers of the LGA together with a peer member.

### **Overview and Scrutiny Training**

- 4.5 The Deputy Chief Executive of the Centre for Governance and Scrutiny (CfGS) produced a schedule for a suite of training for Overview and Scrutiny (O&S) that was delivered remotely from July 2023 to November 2023. This suite of training was compiled in accordance with the recommendations proposed in the review of the Overview and Scrutiny structure at WNC undertaken by the CfGS.
- 4.6 The Deputy Chief Executive delivered the majority of the sessions himself:

Scrutiny essentials	19 July 2023
Financial and Budget Scrutiny	21 September 2023
Performance, finance, and risk review exercise	26 September 2023
Questioning skills and making committee meetings more effective (2 sessions)	9 & 12 October 2023
Work Programming (4 sessions)	16, 18 & 30 October and 6 November 2023

- 4.7 Now the suite of O&S training has concluded the training provider will review feedback and ascertain whether he should recommend any further training sessions, no further correspondence has been received from the CfGS in this respect, therefore, it has been concluded that they will not be proposing any further training on Overview and Scrutiny.
- 4.8 The training provider confirmed that it was acceptable to record the sessions. A copy of the recording, along with presentations given is available for Members in the Councillor Development Teams channel.
- 4.9 A library of Councillor training session is available in this Teams channel which is a useful reference tool for Members.

### **Mandatory Training - Licensing**

- 4.10 All Members and named substitute Members appointed to the Licensing Committee are required to attend mandatory training before they can sit on the Licensing Committee. In 2023/24 there were three newly appointment Members to the Licensing Committee and two newly appointed substitutes. One Councillor attended a full day's training session hosted by the Institute of Licensing on 26 May 2023. The date was not convenient to other Members and a session was delivered on 3 August 2023 by the Principal Lawyer (Licensing) to the other Members and substitute Members. All Members and substitute Members to the Licensing Committee have received the required training.
- 4.11 Further mandatory licensing training for all Members of the Licensing Committee, and named substitutes was scheduled for 20 December 2023 and was around new Taxi Licensing Policies. The training was externally delivered by a Licensing expert. Only eight members of the Licensing Committee, including a named substitute member attended the training.
- 4.12 A further session was held on 9 January 2024 to provide an additional opportunity for Members to be trained but only three Members attended the training. Members who did not attend the training were not permitted to sit on the Committee that took place on 9 January 2024.

### **Feedback**

- 4.13 Feedback received from Members regarding the Planning Committee training and the training regarding Overview and Scrutiny that had been externally delivered by recommended experts in the fields, was somewhat negative. A number of Councillors had not found these sessions useful or the delivery style used by the external training providers. Therefore, discussions will take place regarding the delivery of future Member training sessions, which could therefore be delivered by internal Officers, different external training providers or a mix of both.

## **Training for Members of the Democracy and Standards Committee - Hearing sub-Committees**

- 4.14 Prior to the Hearing Sub Committee (Hearings Panel) that took place in March 2023, the Director of Legal and Democratic delivered comprehensive training to the Members of that Hearings Panel.
- 4.15 Council at its November 2023 meeting approved the updated Member Complaints procedure. It is suggested that training for all Members of the Democracy and Standards Committee, and named substitute members, on the process for Hearing sub-Committees is scheduled and delivered by the Monitoring Officer.

### **Generic Member briefings**

- 4.16 Dates are reserved in the Councillor Meeting calendar for monthly briefings. The dates are issued to Members calendars and then updated when Cabinet Members or Officers request that a briefing is given. So far this year briefings have been delivered on the following topics:
- Planning - varying topics
  - Housing and Planning
  - Community Safety
- 4.17 The briefing sessions are mainly held remotely and usually commence at 5pm. They last around 1 hour to 1.5 hours. The sessions are recorded and stored in the Member Development Teams channel that all Members can access.
- 4.18 Other Councillor sessions and events have been scheduled and include Enforcement S106 and CIL - Councillor Engagement" sessions. These sessions are held regularly and alternate between the Guildhall, Northampton and the Forum at Towcester. The facility for Members to dial in remotely is available also if required.
- 4.19 The Portfolio Holder for Environment, Transport, Transport, Highways & Waste has held one briefing session on areas within his portfolio with another scheduled shortly.
- 4.20 The Councillor Development Programme for 2024/2025 will potentially contain fewer training sessions than previously due to the fact that it will be ahead of the Local elections for West Northamptonshire scheduled for May 2025. However, briefings that may be of use to members will continue. Dates have continued to be reserved in the calendar for such briefings.
- 4.21 A comprehensive induction programme for Members from May 2025 will be drafted and presented to this Committee later in 2024 for discussion and approval. Internal and external expert trainers can then be engaged ahead of the Induction Programme being rolled out in May 2025.

## **5 Issues and Choices**

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- 5.1 The Committee is asked to note the progress report on the structured four-year Councillor Development programme starting with 2023 - 2025 (year 3 - 4) and provide comment.

## **6 Implications (including financial implications)**

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## **6.1 Resources and Financial**

- 6.1.1 There are no immediate financial implications arising from the proposals in further developing a structured Councillor development programme. However, when the development sessions were scheduled for Planning and Overview and Scrutiny, external training providers were sourced this training. The total cost of the training was £10,400. There is now limited budget available for further Councillor training for the remainder of the budget for 2023/24, from the total budget of £15,531. There was also a cost to the training delivered by Officers of the LGA on Planning issue and the training delivered to Licensing Committee Members.
- 6.1.2 In considering requests from individual members to attend external training sessions, the Head of Democratic and Elections in consultation with the Chair of the Democracy and Standards Committee considers such requests against the priority matrix. They also give consideration the available budget against such requests.
- 6.1.3 As training sessions generally take place in the evenings, there is a resource implication on the officers internally delivering training and hosting briefings.

## **7.1 Legal**

- 7.1.1 The Democracy and Standards Committee and the wider Council have a duty to ensure that Councillors are supported in carrying out their roles effectively. This includes providing training. One of key roles undertaken by Councillors is decision making and particularly quasi-judicial decision making where there is a requirement to adhere to specific rules in the way in which decisions are made. Failure to adhere to these rules can jeopardise the decision making of the Council and result in legal challenges. In addition, the Council is under a duty to promote and maintain high standards of conduct which all councillors must uphold in performing their duties.
- 7.1.2 A structured training and development programme for newly elected Councillors and continuing training for all Councillors throughout their term of office will equip them with essential knowledge and skills to perform their roles effectively.

## **7.2 Risk**

- 7.2.1 There are risks if Councillors do not receive the training, they need to carry out their roles effectively.
- 7.2.2 The training for Members of the Planning Committees and Licensing Committee is mandatory. Without this training Members would not be able to sit on the Committees or Hearings Panels. . A risk was identified for the mandatory Licensing Committee as not all members of the Committee attended and therefore those who did not attend were not able to sit on the Licensing Committee that took place on 9 January 2024.
- 7.2.3 Training for all Members of the Democracy and Standards Committee on the Hearing Sub Committee (Hearings Panel) process is important to ensure that all Members understand and are trained on the procedure.

## **7.3 Consultation**

- 7.3.1 All Members and named substitute Members of the Planning Committees attended the mandatory training and were advised in advance of the dates. The same applied to the mandatory training for Licensing Committee members and named substitutes. Changes were made to the schedule of suite of training for Overview and Scrutiny in accordance with Members' availability.
- 7.3.2 Councillors were asked to complete a feedback form after each Councillor Development session and comments received have been analysed. They will be further considered when the Councillor Induction Programme 2025 is drafted and training providers, either internal, external or a mix are identified.
- 7.3.3 All Councillors have been provided with a questionnaire regarding a structured Councillor Development programme, the results of which have been analysed.

#### **7.4 Consideration by Overview and Scrutiny**

- 7.4.1 The Triangulation Group, that comprises Cabinet Members and the Chairs and Vice Chairs of the Overview and Scrutiny Committee, which held its inaugural meeting on 21 May 2023 was consulted on the content on the development sessions specific to Overview and Scrutiny. A further update was provided to the Triangulation Group at its meeting held in July 2023.

#### **7.5 Climate Impact**

- 7.5.1 There are no immediate climate implications arising from this report.

#### **7.6 Community Impact**

- 7.6.1 There are no immediate community implications arising from this report.

#### **7.7 Background Papers**

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Members' induction programme 2021/2022

Democracy and Standards Committee - agenda and minutes - 27 January 2022, 28 July 2022, 12 January 2023, 9 March 2023, 15 June 2023 and 12 September 2023

Report following the review of Overview and Scrutiny by the Centre for Governance and Scrutiny (CfGS)

Report following the review of Planning by the Planning Advisory Service (PAS)

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**WEST NORTHAMPTONSHIRE COUNCIL  
DEMOCRACY AND STANDARDS COMMITTEE  
MEMBER DEVELOPMENT 2023**

<b>Member Development Briefing</b>	<b>Date</b>
Treasury Management	1 February 2023
West Northants Local Plan	1 March 2023
Cyber Security Briefing	30 March 2023
Planning Enforcement Briefing	12 April 2023
Community Safety Briefing	4 May 2023
Housing & Planning Briefing	17 May 2023
Planning Briefing	12 July 2023
Enforcement S106 and CIL Briefing	3 August 2023
Serious Violence Duty	4 September 2023
Planning Matters Briefing	13 September 2023
Voi E-Scooter Briefing	10 October 2023
Housing & Economic Needs Assessment (HENA) Briefing	19 October 2023
Equality and Diversity	9 November 2023
Northamptonshire Children's Trust	7 December 2023
Regeneration & Major Projects Briefing	13 December 2023
Community Governance Review Briefing	20 December 2023

<b>Member Training</b>	<b>Date</b>	<b>Attendance</b>
Democracy & Standards Committee Training	24 May 2023	5
Planning Member Training	6 June 2023	30
Planning Member Training 'Mop Up Session' for Councillors unable to attend on 6 June 2023	22 June 2023	7
Scrutiny Essentials	19 July 2023	27
Licensing Committee New Member Training	3 August 2023	3
Finance and Budget Scrutiny	21 September 2023	19
Performance and Risk Review Scrutiny Training	26 September 2023	17
Accounts Training for Audit & Governance	2 October 2023	5
Scrutiny Questioning Skills & Effective Meetings Session 1	9 October 2023	18
Scrutiny Questioning Skills & Effective Meetings Session 2	12 October 2023	16
Scrutiny Work Programming	18 October 2023	18
Scrutiny Work Programming Session 2	30 October 2023	14
Planning Training	20 November 2023	22
Scrutiny Work Programming Session 3	28 November 2023	16
Licensing Training	19 December 2023	8

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# WEST NORTHAMPTONSHIRE COUNCIL DEMOCRACY & STANDARDS COMMITTEE

25 January 2024

## Report by the Democracy and Standards Committee

Report Title	West Northamptonshire Community Governance Review: Update
Report Author	Paul Hanson, Head of Democratic and Elections <a href="mailto:paul.hanson@westnorthants.gov.uk">paul.hanson@westnorthants.gov.uk</a>

### List of Approvers

Monitoring Officer	Catherine Whitehead	12/01/2024
Chief Finance Officer (S.151)	Martin Henry	05/01/2024
Communications Lead/Head of Communications	Becky Hutson	

### List of Appendices

None

#### 1. Purpose of Report

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- 1.1. This report updates the Committee on progress with the Community Governance Review (CGR) of parish arrangements within West Northamptonshire and invites the Committee to consider the decision making process that will follow the conclusion of the first stage consultation.

#### 2. Recommendations

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- 2.1 It is recommended that the Committee:

- a) Notes the update on the Community Governance Review of parishes in West Northamptonshire and endorses the proposed decision making process to be followed at the conclusion of the first stage of the formal consultation.

### **3. Reason for Recommendations**

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- 3.1 The CGR is undertaken within a statutory framework. The Council is required to consult and must take decisions at the conclusion of each phase of the consultation as to how to proceed.
- 3.2 At the end of the first stage of the formal consultation, the Council must determine which proposals received during the consultation are viable and should be worked up into detailed proposals to proceed to the second stage of the consultation. The second stage may, depending on the nature of the proposals, involve consultation with individual households so care must be taken to ensure proposals consulted on during that stage are viable.
- 3.3 Consulting on proposals that are impossible to deliver (such as changes to the Council's external boundaries) or are not supported by any evidence is not likely to represent an effective use of the Council's resources. Should the committee not take such decisions, it will be left of officers to decide on these matters. This will limit the opportunity for councillor input until the final review is presented to Council for a decision in September 2024.
- 3.4 The intended outcome of the review is to ensure that community governance arrangements within West Northamptonshire are reflective of the identities and interests of communities and support efficient electoral processes.

### **4. Report Background**

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- 4.1 The Local Government and Public Involvement in Health Act 2007 (the Act) devolved powers to local authorities to review parish arrangements within their respective areas and agree changes. The Act created the title of community governance reviews to cover such activity.
- 4.2 A community governance review provides an opportunity for authorities to put in place strong, clearly defined boundaries and to remove any anomalous parish boundaries that exist. This can be the case where a boundary review has recently been undertaken, as is the case in West Northamptonshire, resulting in anomalies between council ward and parish boundaries. Statutory guidance issued by the Government emphasises the importance of undertaking reviews to address boundary anomalies when they arise.
- 4.3 When conducting the review, the Council must act in accordance with the requirements of the Act, the associated regulations and statutory guidance. The Council will need to consult and take account of any representations received in connection with the review. When undertaking the review, the Council must also have regard to the need to secure community governance arrangements that are effective and convenient and which reflect the identities and interests of the community in the area under review. In summary, the review should seek to ensure community governance:
  - a) reflects the identities and interests of the community in that area;
  - b) is effective and convenient, and

- c) takes into account any non-parish, arrangements for the purposes of community representation or community engagement in the area (i.e., residents' associations).
- 4.4 The review will be conducted in accordance with the [Terms of Reference](#) as agreed by full Council at its meeting on 28 September 2023.
- 4.5 Ahead of commencing this review, all Parish and Town Councils were invited to tell the Council whether their parish areas should be included within the review. Along with the outcome of the recent Local Government Boundary Review in West Northamptonshire, this pre-review consultation has helped to determine the parish areas identified for inclusion.
- 4.6 Since then, officers have been working on the first stage of public consultation. Some of the activities undertaken during this stage of the CGR have included:
- 4.6.1 Attendance at the Larger Parishes Forum meeting in September to discuss plans for the consultation and listed to the views of parishes.
  - 4.6.2 Working with the Northamptonshire County Association of Local Councils (NCALC), delivering a briefing and question and answer session for parishes was delivered on 14 December. The session was well-attended, with over sixty delegates signing up.
  - 4.6.3 A similar briefing session for members of this Council was held on 20 December, attended by over twenty members.
  - 4.6.4 A dedicated webpage, with a Frequently Asked Questions section, has been created to support the consultation.
  - 4.6.5 Working with colleagues in the Communications Team, a dedicated consultation portal has been established to facilitate public engagement with the consultation. This has been promoted through the Council's usual communications channels.
  - 4.6.6 A dedicated email address to deal with CGR queries has been set up and is overseen by officers working on the review.
- 4.7 At the time of publication, the Council has received 71 complete responses to the survey, as well as 165 partial responses. This is in addition to a number of responses received via the dedicated email address for the review consultation as well as some paper documents. Feedback from the consultation and engagement function suggests this is satisfactory at this stage.
- 4.8 At the conclusion of the first stage consultation, officers supporting the review will draw up a consultation report to be considered by this committee. The committee will then be required to take a decision about which suggestions should be worked up into detailed proposals for the second stage consultation. It is important the Committee recognise the significance of the decision making required at the consultation of the first stage of consultation. The second stage consultation is not about simply putting suggestions received during the first stage out to consultation for a view; the Council is required to publish firm proposals for change, supported by evidence and compliant with the statutory framework applicable to reviews.

- 4.9 The committee must also be mindful of factors such as protected arrangements, whereby changes to (for example) parish wards made by the Local Government Boundary Commission for England are protected for a period of five years and may not be changed without their consent. Any proposals for such changes will need to be supported by a significant amount of evidence. The Committee will also wish to consider the Community Governance Review conducted by the Council’s predecessor authorities in recent years. Should any proposals for change conflict with changes previously put in place, or seek to put in places suggested changes previously rejected, the committee will wish to apply significant scrutiny to such proposals.
- 4.10 In order to facilitate the committee’s deliberations, officers will make a recommendation about each proposal. Proposals that are within the scope of the review and are supported by evidence that aligns with the statutory guidance (see 4.3) will be recommended for inclusion.
- 4.11 Proposals that are within scope but which lack evidence will be put to the committee to be considered on their merits. Officers will endeavour to provide background information on the likely viability of such proposals, such as whether they cut across arrangements put in place by the most recently completed CGRs in West Northamptonshire.
- 4.12 Proposals that are not viable, either because they cannot lawfully form part of a CGR or would cut across protected arrangements and are not likely to be accepted by the Local Government Boundary Commission for England, will be ruled out of further consultation.
- 4.13 It is anticipated that the consultation report will be ready for the committee to consider at their meeting on 11 March. Should the committee wish to undertake further consultation with local members, there will be time for this before the second stage consultation launches in late-April.

4.9 As a reminder, the timetable for the review is as follows:

<b>Activity</b>	<b>Start date</b>	<b>End date</b>
Pre-consultation with parish councils	July 2023	18 August 2023
Publication of Terms of Reference	29 September 2023	-
Research and information gathering, arranging local meetings if required	29 September 2023	28 November 2023
Initial consultation	28 November 2023	31 January 2024
Consideration of draft submissions received and preparation of draft recommendations	27 January 2024	26 April 2024
Draft recommendations published and consulted on	26 April 2024	25 July 2024
Consideration of consultation outcome	25 July 2024	24 Sept 2024
Council decision and publication of proposals	26 September 2024	-
Review of polling districts and places	30 September 2024	30 November 2024
Election with new arrangements in place	1 May 2025	-

## **5 Issues and Choices**

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- 5.5 The Council can choose to undertake a review at any time. However, the conclusion of the recent electoral review of the Council's own ward boundaries means it was cause difficulties in terms of electoral efficiency if a review were not undertaken prior to the next scheduled election for both parish and town councils and this authority, which will take place in May 2025.
- 5.6 The Council would be under a duty to carry out a community governance review if it received a valid community governance petition for the whole or part of the council's area. In accordance with the statutory guidance, the Council has sought to manage this by undertaking to conduct a review following the review of ward boundaries, which will allow the outcome of that review to be take into consideration.
- 5.7 Officers undertook initial consultation with parishes prior to the publication of the terms of reference for the review. This consultation, alongside the outcome of the recent boundary review, informed the terms of reference of the review.
- 5.8 Community Governance Reviews must be completed within 12 months, and the Council's proposed timeline follows this model. Due to the potential number of parish areas under review, it is suggested that the Council make the most of the 12-month allowance in order to conduct consultation and draw up recommendations.

## **6 Implications (including financial implications)**

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### **6.5 Resources and Financial**

- 6.5.1 Costs associated with undertaking consultation will be met from existing budgets.

### **6.6 Legal**

- 6.6.1 The powers and duties of the Council to conduct a community governance review flow from the Local Government and Public Involvement and Health Act 2007 and associated secondary legislation and statutory guidance. At the conclusion of the review, the Council will be required to publicise the outcome in accordance with this legislation.

### **6.7 Risk**

- 6.7.1 There are no significant risks arising from the proposed recommendations in this report.

### **6.8 Consultation and Communications**

- 6.8.1 The Council has made provision for periods of consultation within the review timetable. Consultation will be undertaken in line with the applicable statutory guidance.

6.8.2 Early consultation took place with parish and town councils within West Northamptonshire. This period of consultation, which ended on 18 August, was designed to inform the draft terms of reference and aid the Council with its preparations for the review.

### **6.9 Consideration by Overview and Scrutiny**

6.9.1 None. A community governance review is a matter for the Council and, through delegation, the Democracy and Standards Committee.

### **6.10 Climate Impact**

6.10.1 None specific. Climate implications do not form part of the statutory framework of CGRs, but any recommendations arising are unlikely to have significant climate impacts.

### **6.11 Community Impact**

6.11.1 The outcome of the review will have an impact on communities in West Northamptonshire. The Council will undertake consultation on this impact prior to making final recommendations.

## **7 Background Papers**

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[Guidance on community governance reviews \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Report and minutes - Democracy and Standards Committee - 12 September 2023

Report and minutes – Full Council – 28 September 2023



# WEST NORTHAMPTONSHIRE COUNCIL

## Democracy and Standards Committee 25 January 2023

<b>Report Title</b>	<b>Updates to the Constitution</b>
<b>Report Author</b>	Catherine Whitehead <a href="mailto:catherine.whitehead@westnorthants.gov.uk">catherine.whitehead@westnorthants.gov.uk</a>

### Contributors/Checkers/Approvers

<b>Monitoring Officer</b>	Catherine Whitehead	12/01/2024
<b>Chief Finance Officer (S.151)</b>	Martin Henry	05/01/2024
<b>Communications</b>	Becky Hutson	

### List of Appendices

Appendix A – Draft revised Constitution (available on request from [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk))

#### 1. Purpose of Report

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- 1.1 The purpose of this report is to enable the committee to consider proposed recommendations in relation to updates to the Constitution.

#### 2. Executive Summary

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- 2.1 The Council's Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose. The Council must operate in accordance with its Constitution and the rules set out in it. The Constitution is divided into different parts which set out the basic rules governing the Council's business as well as some of the detailed rules.
- 2.2 The Chairman has requested the Democracy and Standards Committee consider council procedure rule 29.4 (only one councillor to stand at a time) and make a recommendation to Council about its continued use.

### 3. Recommendations

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- 3.1 It is recommended that the Committee notes and approves the recommendations to Council relating to updates to the Constitution as set out in Section 5.

### 4. Reason for Recommendations

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Keeping the Constitution under regular review will help ensure that it is legally compliant, complete, reflects the character and culture of the authority and supports effective and efficient decision making.

### 5. Report Background

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#### Procedure Rule 29.4 (Only one councillor to stand at a time)

- 5.1 The Council's Procedure Rules state:

*When speaking at a Council meeting a councillor shall, if possible, stand and address the Chair. While a councillor is speaking the other councillors will remain seated, unless rising, if possible, on a point of order or in personal explanation.*

- 5.2 During the Covid 19 pandemic, it became customary for councillors to remain seated when speaking in order to avoid the potential spread of the virus. This custom has continued post-pandemic, partly because of continued concerns about the spread of the virus and partly because the microphones used for sound reinforcement and webcasting are more effective when councillors are closer to the microphone, as they are when sitting.

- 5.3 The Chairman has drawn the attention of council to this procedure rule at recent meetings. On both occasions the Council has elected to suspend this particular procedure rule so that councillors may remain seated when speaking. The matter is now referred to the Democracy and Standards Committee in order that it can make a recommendation to the Council as to whether the constitution should be changed to remove or amend this rule.

- 5.4 Removing the rule could be achieved by adopting the following form of words:

~~*When speaking at a Council meeting a councillor shall, if possible, stand and address the Chair. While a councillor is speaking the other councillors will remain seated, unless rising, if possible, on a point of order or in personal explanation.*~~

- 5.5 It is suggested that procedure rule 29.20 (Respect for the Chair) may also be amended as follows:

*At the Council meeting whenever the Chair rises (or where necessary, instead raises their hand) during a debate a councillor then speaking ~~standing~~ shall cease ~~sit down~~ and the Council shall be silent.*



## **Procedure Rules 29.2 and 29.10 (motions and amendments)**

5.6 The Committee has also been asked to look at the wording of procedure rules 29.2 (motions and amendments) and 29.10 (notice of amendments) to ensure they are consistent with one another.

5.7 Procedure Rule 29.2 states:

*No motion or amendment shall be discussed unless it has been proposed and seconded. Where required by the Chair, motions or amendments shall be put in writing and handed to the Chair before they are further discussed or put to the meeting. At meetings other than those of the full Council, the Chair of that meeting may, at their discretion, allow a motion or amendment to be put which is not in writing, provided that the Chair has concluded that the wording of the motion or amendment is understood by all members of the body concerned. This requirement does not apply to motions which do not require notice.*

5.8 Procedure Rule 29.10 states:

*Amendments to the Budget and Policy Framework at Budget council meetings must be received by the Executive Director Finance at least five clear working days before the meeting. A councillor who wishes to propose an amendment to any other report included with the summons or a motion submitted on the summons shall be required to submit the amendment in writing to the Monitoring Officer at least two clear days before the start of the meeting.*

5.9 In order to achieve consistency, it is suggested that Procedure Rule 29.2 be amended to read:

*No motion or amendment shall be discussed unless it has been proposed and seconded, **having first been submitted in accordance with Procedure Rule 29.10 below.** ~~Where required by the Chair, motions or amendments shall be put in writing and handed to the Chair before they are further discussed or put to the meeting.~~ At meetings other than those of the full Council, the Chair of that meeting may, at their discretion, allow a motion or amendment to be put which is not in writing, provided that the Chair has concluded that the wording of the motion or amendment is understood by all members of the body concerned. This requirement does not apply to motions which do not require notice.*

## **6. Issues and Choices**

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6.1 The issues and choices insofar as they relate to the operation of the Constitution are set out in section 5 above.

## **7. Implications (including financial implications)**

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### **7.1 Resources and Financial**

7.1.1 There are no financial implications arising directly because of the Constitution review process.

### **7.2 Legal**

7.2.1 Every local authority is under a legal duty to prepare and keep up to date its Constitution (see Appendix B). In particular, section 9P of the Local Government Act 2000 requires the Constitution to contain:

- a) a copy of the authority's standing orders;
- b) a copy of the authority's code of conduct;
- c) such information as the Secretary of State may direct; and
- d) such other information (if any) as the authority considers appropriate.

7.2.2 Regular review of the Constitution helps to ensure these legal requirements are met. The amendment set out above will assist in ensuring the Council is able to operate in a lawful manner.

### 7.3 **Risk**

7.3.1 There are no significant risks arising from this report. Reviewing the Constitution helps to reduce any risks that could arise as a result of the Constitution not properly supporting decision making and delivery of Council services.

### 7.4 **Consultation**

7.4.1 Consultation has been undertaken with the Democracy and Standards Committee and officers in relevant services prior to recommendations being submitted to Council.

### 7.5 **Consideration by Overview and Scrutiny**

7.5.1 Not applicable to this report.

### 7.6 **Climate Impact**

7.6.1 There is no climate impact to consider in relation to the recommendation.

### 7.7 **Community Impact**

7.7.1 None specific.

## 8. **Background Papers**

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8.1 None



Item no:

**WEST NORTHAMPTONSHIRE COUNCIL**  
**DEMOCRACY AND STANDARDS COMMITTEE**

**25 January 2024**

<b>Report Title</b>	<b>Appointment of Independent Persons</b>
<b>Report Author</b>	<b>Sarah Hall, Deputy Director Law and Governance</b>

<b>Contributors/Checkers/Approvers</b>		
<b>MO</b>	Catherine Whitehead	17/01/24
<b>S151</b>	Martin Henry	18/1/24
<b>Communications Lead/Head of Communications</b>	Becky Hutson	17/01/24

**List of Appendices**

None.

**1. Purpose of Report**

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- 1.1 This report provides details of the Independent Persons appointed by the Council to assist in the consideration of Member Code of Conduct complaints and proposes their re-appointment.

**2. Executive Summary**

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- 2.1 Section 28 of the Localism Act states that every Local Authority must have Arrangements in place for the consideration of allegations made against elected Members in respect of breaches of the Code of Conduct. As part of those Arrangements the Council must also appointment at least one independent Person whose views are sought and taken into account prior to making a decision to investigate an allegation and whose views may be sought in respect of an allegation where an investigation is not proposed. The views of an Independent Person may also be sought by Member of either West Northamptonshire Council or a Town or Parish Council within the Council's area where they are the subject of an allegation.

**3 Recommendation**

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- 3.1 That the Democracy and Standards Committee recommend to Council the re-appointment of the following Independent Persons for West Northamptonshire Council for a period of 4 years:

Peter Glover  
Alan Haynes  
John Peachey  
Tom Edwards

### **Reason for Recommendation**

- 3.2 Section 28(7) of the Localism Act 2011 states that every Local Authority must appoint at least one Independent Person. Given the size of West Northamptonshire Council and that the Council is responsible for considering all complaints received in respect of the 100 plus Town and Parish Councils within its area, the appointment of 4 persons is considered reasonable. This avoids potential conflict situations and ensures that the demand on any one Independent Persons is not overwhelming.

## **4 Report Background**

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- 4.1 In February 2021 West Northamptonshire Council Shadow Authority appointed five Independent Persons to support the Council in considering Code of Conduct complaints against elected Members. Whilst one of those individuals appointed no longer fulfils the role of Independent Person, the remaining four (those individuals proposed in this report) continue to work closely with the Monitoring Officer and her team in assessing complaints received.
- 4.2 Following initial consideration of a complaint by the Monitoring Officer or her appointed Deputy, the Deputy Democratic Services Manager then contacts and seeks the views on the complaint received from an independent Person, which is then considered prior to a final decision being made on how the complaint should proceed. This process works well and Independent Persons are rotated to ensure a fair distribution of complaints across all four.
- 4.3 All four Independent Persons have worked well with the Council since 2021 demonstrating a good understanding of the Code of Conduct and pragmatism when considering the complaints. Tailored Independent Person training is being delivered to all four Independent Persons on the 15 February 2024 to ensure that they are supported in their role. This training is also being attended by the Council's Deputy Director Law and Governance, Deputy Democratic Services Manager and Principal Lawyer (Governance) to ensure consistency in approach when considering complaints.
- 4.4 Individuals appointed to the role of Independent Person receive an allowance of £500 per year as approved by Council.

## **5 Issues and Choices**

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- 5.1. It is a legal requirement to appoint an Independent Person(s) in order to support the Arrangements for considering Member complaints.

## **6 Implications (including financial implications)**

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### **6.1 Resources and Financial**

- 6.2 The allowance paid to the Independent Persons (£500 each per annum) is already contained within the budget. By appointing four Independent Persons the Council can ensure there is

sufficient resource to deal with the complaints received (approximately 40 per year), ensure an Independent Person is available where a potential conflict exists and make provision for Members who are the subject of a complaint to seek the views of an Independent Person (the Independent Person cannot be the same Independent Person who the Council consults on the complaint).

### 6.3 **Legal**

6.3.1 Under Section 28 of the Localism Act 2011, the Council must have in place Arrangements under which allegations that an elected or co-opted councillor of the Council or of a Town or Parish Council within West Northamptonshire has failed to comply with the relevant Code of Conduct, can be considered and decisions made. It is for the Council to decide the details of those Arrangements, but they must appoint at least one Independent Person whose views are to be taken into account before making a decision to investigate a complaint.

6.3.2 Complaints are received in accordance with the arrangements for dealing with allegations of breaches of the West Northamptonshire Members' Code of Conduct and of Codes adopted by Town/Parish Councils within West Northamptonshire. The Council has a legal duty to respond to such complaints.

### 6.4 **Risk**

6.4.1 There are none specifically.

### 6.5 **Communication and Consultation**

6.5.1 The appointment of Independent Persons is a legal obligation and not therefore appropriate for wider consultation.

### 6.6 **Consideration by Overview and Scrutiny**

6.6.1 The appointment of Independent Persons is a legal obligation. It is therefore not appropriate to be referred to Overview and Scrutiny.

### 6.7 **Climate Impact**

6.7.1 There are no immediate climate implications arising from this report.

### 6.8 **Community Impact**

6.8.1 There are no immediate community implications arising from this report.

## **7 Background Papers**

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7.1 None

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Item no:

**WEST NORTHAMPTONSHIRE COUNCIL**  
**DEMOCRACY AND STANDARDS COMMITTEE**

**25 January 2024**

<b>Report Title</b>	<b>Amendments to the Constitution – Appointment of non-elected Co-opted Members of the Audit and Governance Committee</b>
<b>Report Author</b>	<b>Sarah Hall, Deputy Director Law and Governance</b>

<b>Contributors/Checkers/Approvers</b>		
<b>MO</b>	Catherine Whitehead	18/01/24
<b>S151</b>	Martin Henry	18/01/24
<b>Communications Lead/Head of Communications</b>	Becky Hutson	

**List of Appendices**

None.

**1. Purpose of Report**

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- 1.1 This report proposes amendments to the Constitution to add Co-opted Members to the Audit and Governance Committee in accordance with CIPFA recommendations.

**2. Executive Summary**

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- 2.1 CIPFA good practice suggests that Local Authority Audit Committees should include at least two Co-opted Independent Committee Members to supplement the expertise of existing membership. Currently the Council's Audit and Governance Committee's constitution is made up of solely elected Members.
- 2.2 Following brief informal discussion at the Audit and Governance Committee around the benefits of adding co-opted Members to the Committee membership and with agreement from the Committee Chair, it is proposed, subject to consultation with the Audit and Governance Members, to amend the Constitution to add Co-opted Independent Members to the Committee membership.

**3 Recommendation**

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- 3.1 That, subject to the outcome of the consultation with the Members of the Audit and Governance Committee, the Democracy and Standards Committee recommend to Council:

- 3.1.1 Amendments to the Constitution to add two Co-opted Independent Members to the Membership of the Audit and Governance Committee with payment of an allowance matching those of the other Co-opted Independent Members of the Council of £500 per annum; and
- 3.1.2 To delegate to the Monitoring Officer, in consultation with the Chair of the Audit and Governance Committee and the Head of Audit and Risk Management the arrangements for the selection of such members. This would include the preparation of a role profile, advertising the roles and convening a selection panel of Members supported by Officers to interview applicants, following which formal appointment would be referred back to Council.

### **Reason for Recommendation**

- 3.2 To ensure compliance with CIPFA good practice and that the Committee has the appropriate level of technical expertise and support to comprehensively undertake its function.
- 3.3 To progress with the selection and appointment of the Co-opted Independent Persons without delay.

## **4 Report Background**

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- 4.1 The Chartered Institute of Public Finance and Accountancy (CIPFA) issued a revised position statement for Local Authority Audit Committees and Police in 2022 stating that it is good practice for Local Authority Audit Committees to include at least two Co-opted Independent Members within its membership. This was endorsed by the Department for Levelling Up, Housing & Communities, the Home Office and other public sector bodies.
- 4.2 There is no legislative requirement to add these Co-opted Independent Members, but CIPFA identified this as good practice to supplement and fill any gaps in a committee's technical expertise. CIPFA expects that all local government bodies should make their best efforts to adopt the principles within the statement, aiming for effective audit committee arrangements, enabling Local Authorities to meet their statutory responsibilities for governance and internal control arrangements, financial management, financial reporting and internal audit.
- 4.3 Many Local Authorities include Co-opted Independent Members on their Audit Committees as this is seen as strengthening the internal control and governance of the authority. Co-opted Independent Members with appropriate skills and experience can supplement those of elected Members and improve the effectiveness of Audit Committees.
- 4.4 A number of other Committees within the Council benefit from the inclusion of Co-opted Independent Members including the People Overview and Scrutiny Committee, Northamptonshire Police and Crime Panel and the Democracy and Standards Committee. Each of these Co-opted Independent Members receive an annual allowance of £500.
- 4.5 Co-opted Independent Members on Audit Committees are non-councillors who are suitably qualified with experience in the area of audit/governance and bring specialist knowledge and insight to the workings and deliberations of the committee to provide:
- An effective independent assurance of the adequacy of the risk management framework.
  - Independent review of the Council's financial and non-financial performance.
  - Independent challenge to, and assurance over, the Council's internal control environment.



- 4.6 Co-opted Independent Members would not have a vote in the same way as an elected Member of the committee and would form part of the committee in an advisory and consultative capacity only.
- 4.7 Good practice suggests that Co-opted Independent Members should be appointed for a term of no more than four years, and that they should generally not exceed two-terms. This ensures that new ideas and contributions can be added to the Committee semi-regularly.

## **5 Issues and Choices**

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- 5.1. It is not a legal requirement to appoint Co-opted Independent Members, although it is CIPFA best practice which was endorsed by the Department for Levelling Up, Housing & Communities, the Home Office and other public sector bodies. CIPFA expects Local Authorities to use their best efforts to adhere to the principles set out within the statement, however, the Committee could choose not to make any changes to the Constitution if satisfied that existing Members demonstrate sufficient technical ability and expertise.

## **6 Implications (including financial implications)**

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### **6.1 Resources and Financial**

- 6.2 If the recommendation to amend the Constitution to add two Co-opted Independent Members to the Audit and Governance Committee is approved by Council, it is proposed to pay them an allowance in line with the allowance paid to the other Co-opted Independent Members of the Council (£500 per annum). This is subject to review and assessment by the Independent Remuneration Panel.

### **6.3 Legal**

- 6.3.1 Section 102(3) of the Local Government Act 1972 stipulates that a committee which discharges a function of the Council can include co-opted members, except where it is a committee set up to regulate and control the finance of the local authority.
- 6.3.2 Section 13(1) of the Local Government and Housing Act 1989 provides that a co-opted member of a committee established under section 102 of the Local Government Act 1972, as a committee discharging the functions of the Council, must be a non-voting member meaning that any Co-opted Independent Member appointed to the Audit and Governance Committee would not hold voting rights and could attend the Committee in an advisory and consultative capacity only.
- 6.3.3 Co-opted Independent Members have similar rights (to elected Members) to access information and are subject to the obligations detailed within the Code of Conduct for Members.
- 6.3.4 The Local Authorities (Members' Allowances) (England) Regulations 2003 permit the Council to pay an allowance to a co-opted member of a Committee. The Council's Independent Remuneration Panel would be consulted in respect of any such allowance.

### **6.4 Risk**

- 6.4.1 There are none specifically.

## 6.5 **Communication and Consultation**

6.5.1 In light of the cancellation of the Audit and Governance Committee in January 2024, a copy of this report has been circulated to all Members of the Audit and Governance Committee with a request that they provide any comments to the Deputy Director Law and Governance prior to the meeting of the Democracy and Standards Committee. An update of any responses and comments received will be provided verbally to Member of the Committee on the 25 January 2024.

## 6.6 **Consideration by Overview and Scrutiny**

6.6.1 Amendments to the Constitution regarding the appointment of Co-opted Independent Members to the Audit and Governance Committee are not considered necessary to be referred to Overview and Scrutiny.

## 6.7 **Climate Impact**

6.7.1 There are no immediate climate implications arising from this report.

## 6.8 **Community Impact**

6.8.1 There are no immediate community implications arising from this report.

## **7 Background Papers**

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7.1 CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2022



Item no:

**WEST NORTHAMPTONSHIRE COUNCIL**  
**DEMOCRACY AND STANDARDS COMMITTEE**

**25 JANUARY 2024**

<b>Report Title</b>	<b>Democracy and Standards Committee - Work Programme 2024 2025</b>
<b>Report Author</b>	<b>Tracy Tiff, Deputy Democratic Services Manager,</b> <a href="mailto:tracy.tiff@westnorthants.gov.uk">tracy.tiff@westnorthants.gov.uk</a>

<b>Contributors/Checkers/Approvers</b>		
<b>MO</b>	Catherine Whitehead	12/1/24
<b>S151</b>	Martin Henry	4/1/24

**List of Appendices**

**Appendix A – Draft Work Programme 2024 2025**

**1. Purpose of Report**

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- 1.1 This report provides the draft Work Programme for the Democracy and Standards Committee 2024/25 for the Committee's consideration, comment and approval.

**2. Executive Summary**

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- 2.1 It is not a requirement for the Committee to have an annual work programme. However, it is considered good practice for there to be a work programme as this helps to demonstrate the work carried out the Committee in accordance with its Terms of Reference as detailed at Part 4 of the Council's Constitution.
- 2.2 At its inaugural meeting on 29 July 2021, the Committee approved a work programme in relation to the roles and functions of the Committee for the year 2021/22. It is customary to agree the work programme at the first meeting of the year. Attached at **Appendix A** is the draft work programme for 2024/25 for the Committee's consideration and approval.
- 2.3 The work programme is a fluid document and will be presented to each meeting of the Committee for consideration and review.

**3. Recommendations**

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- 3.1 It is recommended that the Democracy and Standards Committee:

- 3.1.1 Considers and approves the draft work programme for 2024/25 as detailed at **Appendix A**

### 3.2 ***Reasons for Recommendation***

3.2.1 The recommendation is intended to:

- a) Enable the Committee to consider and approve its annual work programme 2024/25.

## **4. Report Background**

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### **Terms of Reference of the Democracy and Standards Committee**

4.1 The Terms of Reference of the Democracy and Standards Committee are set out in Part 4 of the Constitution:

#### **4.6.2 In relation to the Democratic functions of the Committee**

- (a) Reviewing the Council's Constitution and decision-making governance, i.e. the guidance and documents that support decision making, e.g. the Forward Plan guidance and the rules on officer records, and recommending any proposed changes to the Council;
- (b) Conducting polling station reviews and other election functions which it is necessary for the Council to decide (but not the functions delegated directly by statute to the Returning Officer and Electoral Registration Officer);
- (c) Preparing submissions on behalf of the Council to the Local Government Boundary Commission for England in relation to the governance of the area;
- (d) Preparing submissions on behalf of the Council to the Parliamentary Boundary Commission for England.

#### **4.6.3 In relation to the Standards functions of the Committee**

- (a) Promoting and maintaining high standards of conduct by Members and co-opted Members of the Council, Parish and Town Councils;
- (b) Keeping the Member Code of Conduct and, where appropriate, the Planning Code of Conduct under review and make recommendations to Council on any amendment or revisions to the Codes;
- (c) Advising, training or arranging training for Members and co-opted Members of the Council, Parish and Town Councils on matters relating to the Member Code of Conduct and the Planning Code of Conduct;
- (d) Giving general guidance and advice to Members and Co-opted Members of the Council, Parish and Town Councils on Member's interests and keeping under review the Registers of Members' Interests maintained by the Monitoring Officer and the Register of Gifts and Hospitality;
- (e) Granting dispensations to Members and co-opted Members from requirements relating to interests;
- (f) Keeping the Council's arrangements for dealing with standards complaints under review and making recommendations to Council on any amendment or revisions to the arrangements;
- (g) Assessing and/or referring for investigation allegations of misconduct on the part of Members and co-opted Members of the Council, Parish and Town Councils, if so requested by the Monitoring Officer;
- (h) Determining allegations of misconduct on the part of Members and co-opted Members of the Council, Parish and Town Councils;

- (i) To be a consultee in relation to the Council's Officer Code of Conduct;
- (j) Making recommendations to Council with regard to the appointment of Independent Persons;
- (k) Overseeing the Council's Protocol on Member/Officer Relations and making recommendations to Council on any amendment or revisions to the protocol;
- (l) Receiving an annual report from the Monitoring Officer detailing complaints received, complaints dealt with and resolutions achieved;
- (m) Exercising all the Council's functions, as specified in Regulation 2 of the Local Authority (Functions and Responsibility) (England) Regulations 2000 insofar as such functions are not the responsibility of the Cabinet, Council or any other committee of the Council.

## **Work Programme 2024/25**

- 4.2 The Committee is asked to agree the work programme for the year. A copy of the draft work programme for 2024/25 is detailed at **Appendix A**.
- 4.3 The draft work programme 2024/25 has been produced in accordance with the terms of reference of the Committee.
- 4.4 It is recognised that there is flexibility in the work programme to include any other issues which arise throughout the year. This will enable other more specific items to be added to the work programme as they arise.

## **5 Issues and Choices**

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- 5.1 The Committee is asked to consider, provide comment and approve the proposed work programme 2024/25.

## **6 Implications (including financial implications)**

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### **6.1 Resources and Financial**

- 6.1.1 There are no immediate financial implications arising from the initial proposed Work Programme 2024/25.

### **7.1 Legal**

- 7.1.1 There are no specific legal implications arising from this report. However, the Council must comply with its obligations under section 27 of the Localism Act 2011 and a programme of work can support the Council and the Committee in its duty to promote high standards of ethical conduct.
- 7.1.2 The Democracy and Standards Committee and the wider Council have a duty to ensure that Councillors are supported in carrying out their roles effectively. This includes providing training. One of key roles of the Committee is to approve the Councillor Development programme.

### **7.2 Risk**

7.2.1 No specific risks identified.

### **7.3 Consultation**

7.3.1 The Committee will be consulted on its draft Work Programme 2024/25 which will be reviewed at each Committee meeting thereafter.

### **7.4 Consideration by Overview and Scrutiny**

7.4.1 None.

### **7.5 Climate Impact**

7.5.1 There are no immediate climate implications arising from this report.

### **7.6 Community Impact**

7.6.1 There are no immediate community implications arising from this report.

### **7.7 Background Papers**

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Previous Democracy and Standards Committee Work Programmes: 2021/22, 2022/23

WEST NORTHAMPTONSHIRE COUNCIL  
DEMOCRACY AND STANDARDS COMMITTEE

Draft version 1

WORK PROGRAMME 2024/2025

Date of the Democracy and Standards Committee	Topics and Rationale
25 January 2024	<ul style="list-style-type: none"> <li>• <b>Statistics – code of Conduct Arrangements – Annual Review</b> – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct</li> <li>• <b>Member Development</b> – To provide an update on member training for the Committee’s information and seeks support for the classification and requirements in relation to the member training programme</li> <li>• <b>Community Governance Review</b> - To provide an update on the Community Governance Review</li> <li>• <b>Proposed amendments to the Constitution</b> - To consider proposed amendments to the Constitution</li> <li>• <b>National Changes – Ethics and Standards</b> – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required)</li> <li>• <b>Work Programme 2024/2025</b> - To propose a work programme for the Committee for 2024/2025</li> </ul>
11 March 2024	<ul style="list-style-type: none"> <li>• <b>Review of Planning Committee arrangements</b> - To consider an update of the review of the Planning Committee arrangements</li> <li>• <b>Community Governance Review</b> - To provide an update on the consultation regarding the Community Governance Review</li> <li>• <b>Proposed amendments to the Constitution</b> - To consider proposed amendments to the Constitution</li> <li>• <b>National Changes – Ethics and Standards</b> – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required)</li> <li>• <b>Work Programme 2024/2025</b> - To review the Work Programme for the Democracy and Standards Committee</li> </ul>
13 June 2024	<ul style="list-style-type: none"> <li>• <b>Register of Members' Interests</b> - To provide an update regarding the operation of the Register of Members’ Interests 2022/2023</li> <li>• <b>Proposed amendments to the Constitution</b> - To consider proposed amendments to the Constitution</li> <li>• <b>National Changes – Ethics and Standards</b> – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Annual Report of the Democracy and Standards Committee 2023/2024</b> – To consider the draft Annual Report of the Democracy and Standards Committee 2023/2024</li> <li>• <b>Proposed Member Development Programme (year 4)</b> - To provide an update on the proposed Member Development Programme</li> <li>• <b>Work Programme 2024/2025</b> - To review the Work Programme for the Democracy and Standards Committee</li> </ul>
<b>2 September 2024</b>	<ul style="list-style-type: none"> <li>• <b>Proposed amendments to the Constitution</b> - To consider proposed amendments to the Constitution</li> <li>• <b>Statistics – code of Conduct Arrangements – Six monthly update</b> – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct</li> <li>• <b>National Changes – Ethics and Standards</b> – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required)</li> <li>• <b>Training for Democracy and Standards Committee</b> - to consider any training specific to the Democracy and Standards Committee Members</li> <li>• <b>Work Programme 2024/2025</b> - To review the Work Programme for the Democracy and Standards Committee</li> </ul>
<b>14 November 2024</b>	<ul style="list-style-type: none"> <li>• <b>National Changes – Ethics and Standards</b> – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required)</li> <li>• <b>Proposed amendments to the Constitution</b> - - To consider proposed amendments to the Constitution in relation to updates required to the Financial Procedure Rules</li> <li>• <b>Review of Planning Committee arrangements</b> - To review the operation of the planning committees over the last six months and determines whether any changes should be recommended to Council or whether further review or information is required</li> <li>• <b>Proposed amendments to the Member Complaints Procedure</b> - To consider proposed amendments to the Member complaints Procedure</li> <li>• <b>Community Governance Review</b> – To consider the Consultation Plan for the first stage of the Community Governance Review</li> <li>• <b>Work Programme 2023/2024</b> - To review the Work Programme for the Democracy and Standards Committee</li> </ul>
<b>23 January 2025</b>	<ul style="list-style-type: none"> <li>• <b>Statistics – code of Conduct Arrangements – Annual Review</b> – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct</li> <li>• <b>Member Development</b> – To provide an update on member training for the Committee’s information and seeks support for the classification and requirements in relation to the member induction programme 2025/26</li> <li>• <b>Proposed amendments to the Constitution</b> - To consider proposed amendments to the Constitution</li> <li>• <b>National Changes – Ethics and Standards</b> – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards (if required)</li> <li>• <b>Work Programme 2025/2026</b> - To propose a work programme for the Committee for 2025/2026</li> </ul>