



Democracy and Standards Committee

A meeting of the Democracy and Standards Committee will be held at the The Jeffery Room, The Guildhall, Northampton on Thursday 27 January 2022 at 6.00 pm

Agenda

1.	Apologies for Absence and Notification of Substitute Members
2.	Minutes (Pages 5 - 8) To confirm the Minutes of the meeting of the Committee held on 23 rd November 2021.
3.	Declarations of Interest 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.	Chair's Announcements To receive communications from the Chair.
5.	Member Development (Pages 9 - 16) To consider the report of the Monitoring Officer.
6.	Ethics and Standards - Statistics - Code of Conduct Arrangements (Pages 17 - 24) To consider the report of the Monitoring Officer.
7.	Work Programme of the Democracy and Standards Committee (Pages 25 - 32) To consider the report of the Monitoring Officer.
8.	Urgent Business

	The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
9.	<p>Exclusion of Press and Public</p> <p>Exempt Items 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
19 January 2022

Democracy and Standards Committee Members:

Councillor Suresh Patel (Chair)	Councillor Andrew Grant (Vice-Chair)
Councillor Fiona Cole	Councillor Daniel Cribbin
Councillor Gareth Eales	Councillor Jonathan Harris
Councillor Cecile Irving-Swift	Councillor Andrew Kilbride
Councillor Laura Stevenson	

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to 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

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 via the following:

Tel: 01604 837408 & 01327 302236

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
One Angel Square
Angel Street
Northampton
NN1 1ED

This page is intentionally left blank



Democracy and Standards Committee

Minutes of a meeting of the Democracy and Standards Committee held at The Jeffery Room, The Guildhall, Northampton on Tuesday 23 November 2021 at 6.00 pm.

Present Councillor Suresh Patel (Chair)

Councillor Fiona Cole
 Councillor Gareth Eales
 Councillor Jonathan Harris
 Councillor Cecile Irving-Swift
 Councillor Andrew Kilbride

Apologies for
 Absence: Councillor Andrew Grant
 Councillor Daniel Cribbin
 Councillor Laura Stevenson

Officers Geoff Wild
 John Murphy
 Tracy Tiff, Deputy Democratic Services Manager
 Marina Watkins, Committee Officer

16. **Declarations of Interest**

None advised.

17. **Minutes**

Further to minute number 14 – the Local Government Boundary Review Task and Finish Group meetings will be set up commencing in January 2022.

All meetings commencing at 6pm to be held at the Guildhall, Northampton on the following dates:

19 January 2022, 16 February, 24 March, 27 April, 25 May and 23 June

RESOLVED:

That the Minutes of the Democracy and Standards Committee held on 30th September be approved and signed as a correct record.

18. **Chair's Announcements**

None advised.

19. **Review of Constitution**

Consideration was given to the report of the Deputy Monitoring Officer regarding the review of the Constitution.

The Deputy Monitoring Officer advised that the document had now been considered by the Executive Leadership Team (ELT) and Cabinet, and would now be submitted to Council on 2nd December for consideration.

The Committee discussed a number of issues including the proposed finishing time of meetings of the Council. A 9.30pm end time was not considered to be sufficient to allow enough discussion at the meetings. Although it was appreciated that the meetings needed to be more focused, the public perception needed to be considered. Following a detailed discussion the Committee agreed on a 9.45pm finish time, with an option to be extended by 15 additional minutes.

It was suggested that the Constitution be amended to clarify that the maximum number of Motions excluded the Priority Opposition Motion for clarity. Councillor Jonathan Harris requested that the dissatisfaction of the Liberal Democrat Group with regards to Motions.

The Committee discussed the issue of Scrutiny Call-ins and the scenario where some issues could cover two or more directorates and committee remits. The Deputy Monitoring Officer suggested that the Councillors calling-in an item should request which Scrutiny Committee that they would like the matter to be considered by.

It was noted that there was currently no ordinary Council meeting between the December and April meetings, as the February meetings was dedicated to finance matters. The Chair suggested that an additional meeting could be discussed at the Annual meeting.

The committee stressed the need to acknowledge the feedback received from the public and other consultees and report back on progress, explaining why some matters could not be taken forward at this time. It was pointed out that the Constitution was a living document that will change regularly over time. The Chair agreed to include the feedback on the consultation as a future committee agenda item.

Councillor Eales considered that all Committee meetings should all commence at 6pm and only take place at other times where absolutely necessary.

The additional proposals comprised the following:

- i. Extend the finish time of full council meetings by 15 minutes (so that the finish time will be 9.45pm, with the option to extend until 10pm)
- ii. Extend the time for portfolio holder questions by 15 minutes (from 45 to 60 minutes)
- iii. Clarify that the Priority Opposition Motion should be put to the vote after a right of reply
- iv. Clarify that the maximum number of Motions on Notice should be five (excluding the Priority Opposition Motion)

- v. Clarify that questions at council meetings are restricted to members of the public
- vi. Clarify that call-in requests should specify which Overview & Scrutiny Committee should deal with the matter
- vii. Clarify that the requirement for members to rise should be only where they are able
- viii. All references to "impracticable" be replaced with "not possible", for clarity

The recommendations submitted in the report were agreed.

RESOLVED:

The Democracy and Standards Committee:

- a) Endorsed the additional proposed amendments to the Constitution made by officers;
- b) Made further proposals (as set out below);
- c) Recommended the revised draft Constitution to Full Council for approval.

20. **Urgent Business**

None advised.

The meeting closed at 7.25 pm

Chair: _____

Date: _____

This page is intentionally left blank

WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

27 JANUARY 2022

Report Title	Member Development
Report Author	Tracy Tiff, Deputy Democratic Services Manager, tracy.tiff@westnorthants.gov.uk

Contributors/Checkers/Approvers		
MO	Catherine Whitehead	17 January 2022
Deputy MO	Geoff Wild	13 January 2022
S151	Martin Henry	18 January 2022

List of Appendices

Appendix A – Member development session statistics

1. Purpose of Report

- 1.1 The report provides 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.

2. Executive Summary

(a) Details of training and briefings that Members have received since May 2021 including:

- Ethics and Standards training for Members
- The offer and take up of generic training
- Mandatory targeted training, e.g. for members of the Planning and Licensing Committees. Councillors must have received this training before they can sit on either of these Committees.
- Further training planned and for the Committee to identify whether there is a need for additional training and what this should cover

3. Recommendations

3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the Councillor development programme to date and identifies whether there is a need for additional training that is not currently included within the programme;
- b) Considers whether refresher and ongoing training for members of the Planning and Licensing Committees should be mandatory and decide what other training should be mandatory for Councillors.

3.2 *Reasons for Recommendations*

3.2.1 The recommendations are intended also to enable the Committee to receive details regarding the Councillor development programme and provide members with an opportunity to suggest further training requirements that they feel are required.

3.2.2 The recommendations are intended to enable the Committee to confirm which training for Members it feels should be made mandatory.

4. Report Background

Member Development

4.1 *The Standards responsibilities of the Committee include 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.* Member training is a wider issue and particularly for a new Council it is important that there is Member oversight of the Member training programme to ensure that Members have the skills they need to support effective decision making.

4.6 Member development is training and development opportunities, activities and programmes that offered to elected members by West Northamptonshire Council which support members to carry out their roles effectively.

Induction Programme

4.7 The Councillor Induction Programme was designed for both returning and newly elected councillors. West Northamptonshire Council is a new Council, and the induction programme was relevant to all Councillors as there a far greater range of services than any one of the predecessor councils. It was therefore important to provide a programme of training and development that raised awareness and provided vital information to assist members as a newly elected or returning councillor.

4.8 The Councillor Induction Programme took place over three months – May, June and July 2021 and it is envisaged that some sessions will be repeated later in the year. The member induction programme took place remotely using the online audio and video system – Zoom. The sessions

were well attended; details of the main session and attendance statistics are attached at **Appendix A**.

- 4.9 Key advisors from the Local Government Association worked with Officers from Democratic Services to produce the Councillor Induction Programme. Much of the sessions were hosted by Advisors of the Local Government Association (LGA) or senior officers of the Council.
- 4.10 Training for members of both the Planning Committees and Licensing Committees is mandatory.
- 4.11 Officers are continuing to work with representatives of the LGA regarding repeat sessions and it is expected that these will include:
- Chairing Skills
 - Chairing Skills for Chairs and Vice Chairs of Overview and Scrutiny Committees
 - Equalities
- 4.12 Officers are working with external training providers regarding development sessions in respect of:
- Overview and Scrutiny – “Doing good Scrutiny”
 - Planning Matters – training for all Members of all of the Planning Committees

As soon as the above development sessions are finalised, they will be programmed into the Councillor development programme and members will be invited to attend.

- 4.13 The Learning & Development (L&D) Service is committed to supporting members with their continued professional development (CPD). Officers from L&D are working closely with officers from Democratic Services to ensure the member offer is focused on their needs. There are a number of resources available for members within the e-learning system “iLearn”:
- Councillor Induction and member development section containing slides and recordings of the sessions from the Councillor Induction events held in May 2021
 - An e-learning section which contains the following:
 - Cyber Security
 - Community Leadership
 - Access to the L&D MS365 e-learning page which contains
 - Hints and tips on using MS365
 - Application-focused quick-start guides and videos
 - My Development Toolkit
 - Search any topic and find videos and articles to enhance your own development journey.

5. Issues and Choices

- 5.1 The Committee is asked to consider whether ongoing and refresher training for members of both the Planning and Licensing Committees should be mandatory and whether there is any other training that the Committee feels should be compulsory for Members to attend.

6. Implications (including financial implications)

6.1 Resources and Financial

- 6.1.1 There are no immediate financial implications arising from the proposals. However, should an external training provider be sourced to deliver any training there would be a cost implication but there is budgetary provision available in the Councillor development budget.
- 6.1.2 There are no direct manpower implications arising from this report, however, the Committee will be aware that the handling and processing of complaints is resource intensive. A 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.
- 6.1.3 Should the training be delivered by internal officers there is a resource implication upon those officers.

6.2 Legal

- 6.2.1 The Democracy and Standards Committee and the wider council have a duty to ensure that Members are supported in carrying out their roles effectively. This includes providing training. All decision making and particularly quasi judicial decision making is required 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.

6.3 Risk

- 6.3.1 There are risks if Council members do not have the training they need to carry out their roles effectively.

6.4 Consultation

- 6.4.1 This is an update report that details member development information and is not therefore appropriate for wider consultation.

6.5 Consideration by Overview and Scrutiny

- 6.5.1 This is an update report and is not appropriate to be referred to Overview and Scrutiny. An annual report of the Committee will include details of member development through the Committee.

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

Members' induction programme 2021/2022

This page is intentionally left blank

Members Training Record

Member Training Type	Date of Training	Number attended
General Induction - 'Hitting the Ground Running' Session A – For newly elected Councillors Session B – Open to all Councillors	17 May 2021	39 (Session A) 19 (Session B)
Members' Welcome Day	12 June 2021	47 (am session) 45 (pm session)
Safeguarding	18 May 2021	30
Governance/Ethics/Code of Conduct and Member/Officer Relationships/the Role of a Councillor	19 May 2021	41
Corporate Parenting and the Children's Trust	25 May 2021	36
Working Together Effectively as the Cabinet/Executive	1 June 2021	Postponed
Data Protection - GDPR	2 June 2021	24
Local Government Finance: The Essentials	10 June 2021	33
Overview and Scrutiny	15 June 2021	29
Communications and Media Relations and Equalities Session A	27 May 2021	18
Communications and Media Relations and Equalities Session B	4 June 2021	14
Good and Efficient Chairing of Meetings	28 June 2021	17 (Session A) 21 (Session B)
Equality in Local Government: The Councillors' Role	3 June 2021	17 (Session 1) 20 (Session 2)
Education Services	19 July 2021	23
Environmental Issues	22 July 2021	27



Transformation Issues	4 November 2021	19
Licensing Training	21 May 2021	17
Planning Training	24 May 2021	20 (Session 1) 14 (Session 2)
Licensing Webinar	3 November 2021	12
Electoral Review Briefing	25 November 2021	19
Spatial Options Member Briefing	11 October 2021	21



WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

27 JANUARY 2022

Report Title	ETHICS AND STANDARDS – STATISTICS – CODE OF CONDUCT ARRANGEMENTS SIX MONTHLY UPDATE
Report Author	Tracy Tiff, Deputy Democratic Services Manager, tracy.tiff@westnorthants.gov.uk

Contributors/Checkers/Approvers		
MO	Catherine Whitehead	17 January 2022
Deputy MO	Geoff Wild	13 January 2022
S151	Martin Henry	18 January 2022
Communications Lead/Head of Communications	Becky Hutson	18 January 2022

List of Appendices

None.

1. Purpose of Report

- 1.1 The report provides an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct for the Committee's information.

2. Executive Summary

- 2.1 The West Northamptonshire Council (WNC) 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.*

- 2.2 This is an opportunity for the Committee to be appraised of:

- (a) A precis of all completed complaints and any outstanding complaints of alleged breaches of the Code of Conduct since May 2021. This is in accordance with the Committee's duty to discharge functions in relation to the promotion and maintenance of high standards of

conduct within West Northamptonshire Council and Town and Parish Councils within the area of West Northamptonshire;

(b) The procedure and process in dealing with complaints of alleged breaches of the Code of Conduct.

2.3 At its meeting in July 2021, the Committee asked for more information regarding each member complaint received, particularly in relation to the different sections of the Code engaged. This was detailed in the report that was presented to the Committee meeting on 30 September 2021, and further such details have been included within this report.

3. Recommendations

3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the statistics in relation to the number of complaints received and dealt with, in respect of the Code of Member Conduct;
- b) Notes the process that is followed in dealing with complaints received in respect of the Code of Member Conduct.

3.2 Reason for Recommendations

3.2.1 The recommendations are intended to enable the Committee to receive statistical data in relation to the number of complaints received and dealt with in respect of the Code of Member Conduct and thereby enable it to carry out its Standards responsibilities effectively.

3.2.2 The recommendations enable the Committee to receive details of the process used in dealing with complaints received in respect of the Code of Member Conduct.

4. Report Background

4.1 As detailed in paragraph 2.1 above, *“The Standards responsibilities of the Committee are 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 will be provided to inform this role of the Committee.

Complaints – Member Code of Conduct

- 4.2 The adopted arrangements for dealing with allegations of breach of the code of conduct for councillors 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 with a view to a report then being considered by the Standards Committee.
- 4.3 The analysis 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. Complaints against councillors of the predecessor councils who did not stand for re-election and were therefore not investigated have not been included (this does relate to one of the complaints).
- 4.4 Certain 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 complaints in relation to the Code of Conduct are set out below.

Information regarding complaints in accordance with the Code of Member Conduct provided to the meeting of the Democracy and Standards Committee - 30 September 2021

Date received	Council	Assessment of the Monitoring Officer	Status
08/06/21 (on the prescribed form)	West Northamptonshire Council Complaint under paragraph Part 2 – Paragraph 10 of the Members Code of Conduct	The Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code - Referred for Investigation	Live
06/07/21	Parish Council Complaint under paragraph Part 2 – Paragraph 3.2 (b) of the Members Code of Conduct	The complaint is currently on hold whilst the results of another matter are awaited	Live but on hold
06/07/21	Parish Council Complaint regarding withholding information	No further action – Outside the scope of the Code of Conduct	Closed
19/07/21	Parish Council Complaint regarding comments made by the subject Member	No further action. The Councillor was not acting in the capacity as Councillor	Closed
20/07/21	Parish Council Complaint regarding comments made by the subject Member	No further action. Outside the scope of the Code of Conduct	Closed

27/7/21	West Northamptonshire Council Complaint regarding comments made by the Subject Member	No further action – Outside the Scope of the Code of Conduct	Closed
02/08/21	West Northamptonshire Council Five complaints submitted under paragraph 8 of the Code of Conduct	The Monitoring Officer was in discussion with the subject Members. Matters resolved informally	Closed

Complaints in accordance with the Code of Member Conduct received after the meeting of the Democracy and Standards Committee - 30 September 2021

Date received	Council	Assessment of the Monitoring Officer	Status
11/09/21	West Northamptonshire Council Complaint submitted under paragraph 8 of the Code of Conduct	The Monitoring Officer held discussions with the subject Member. Matter resolved informally	Closed
13/09/21	Parish Council Complaint under Paragraphs 2.2, 4.1 and 10.1 of the Parish Council Members Code of Conduct	The Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code – Referred for Investigation	Live
14/09/21	West Northamptonshire Council Complaint submitted under Paragraph 8 of the Code of Conduct	The Monitoring Officer held discussions with the subject Member. Matter resolved informally	Closed
16/09/21	Parish Council Complaint regarding the way that the Parish Council is conducting its business	No further action in accordance with complaints regarding the Member Code of Conduct – Outside the Scope of the Code of Conduct	Closed
03/10/21	West Northamptonshire Council Complaint received regarding comments made by a Councillor. Further information requested in order that the Monitoring Officer can conduct an initial assessment. Further information not received.	No further information received as requested by the Monitoring Officer therefore this complaint was closed.	Closed
07/10/21	Parish Council Complaint regarding publication made by the Parish Council	No further action in accordance with complaints regarding the Member Code of Conduct – Outside the Scope of the Code of Conduct	Closed
18/10/21	West Northamptonshire Council Complaint regarding Council Tax refund	No further action in accordance with complaints regarding the Member Code of Conduct – Outside the Scope of the Code of Conduct	Closed
20/10/21	Parish Council	No further action as the requested information was not received.	Closed

	Further information requested on 1/11/21 to enable the Monitoring Officer to undertake an initial assessment – information not received		
27/10/21	West Northamptonshire Council Three complaints submitted under paragraph 8 of the Code of Conduct	The Monitoring Officer held discussions with the subject Members. Matter resolved informally	Closed
30/10/21	West Northamptonshire Council Complaint submitted under paragraph 8 of the Code of Conduct	The Monitoring Officer held discussions with the subject Member. Matter resolved informally	Closed
8/11/21	West Northamptonshire Council Complaint submitted under paragraph 8 of the Code of Conduct	The Monitoring Officer held discussions with the subject Member. Matter resolved informally	Closed
10/11/21	Parish Council Complaint regarding an election	No further action in accordance with complaints – Outside the Scope of the Code of Conduct	Closed
17/11/21	West Northamptonshire Council Complaint submitted regarding a licensed taxi driver	No further action in accordance with complaints regarding the Member Code of Conduct – Outside the Scope of the Code of Conduct. Referred to the Licensing Department.	Closed
19/11/21	Parish Council Complaint submitted under Part 1, section 1 of the Code of Conduct	No further action. The Monitoring Officer concluded, in consultation with the Independent Person, that the complaint is not suitable to be referred for investigation and that no further action should be taken.	Closed
21/11/21	West Northamptonshire Council Complaint received and complainant asked to complete the prescribed. Completed form not received.	Monitoring Officer awaiting receipt of the completed complaints form and has now closed the complaint	Closed
22/11/21	West Northamptonshire Council Complaint received and complainant asked to complete the prescribed form and provide further detail. Completed form not received.	Monitoring Officer awaiting receipt of the completed complaints form and has now closed the complaint	Closed
23/11/21	Parish Council Complaint received regarding communication by the Parish Council.	Monitoring Officer, in consultation with the Independent Person, concluded that this complaint is outside the scope of the Member Code of Conduct and no further action.	Closed
24/11/21	West Northamptonshire Council Complaint received in accordance with Section 3, paragraph 3.4 of the	Monitoring Officer, in consultation with the Independent Person, confirmed the complaint is not suitable for formal	Closed

	Member Code of Conduct. Further information awaited from the complainant	investigation but might be suitable for alternative resolution. The complainant has been contacted to indicate their views on alternative remedy and to provide further information, which has not been received.	
28/11/21	West Northamptonshire Council Complaint received in accordance with Section 2 General Provisions, 3. General Obligations: 3.3, 3.7 and 3.11 Section 3 Interests: 1.1, 1.2, 3.1 of the Member Code of Conduct. Complaint relates to before 1 April 2021.	The Monitoring Officer, in consultation with the Independent Person, concluded that the complaint is not suitable to be referred for investigation and no further action should be taken.	Closed
28/11/21	West Northamptonshire Council Section 2 General Provisions, 3. General Obligations: 3.3, 3.7 and 3.11 Section 3 Interests: 1.1, 1.2, 2.1, 3.1 of the Member Code of Conduct. Complaint relates to before 1 April 2021.	The Monitoring Officer, in consultation with the Independent Person, concluded that the complaint is not suitable to be referred for investigation and no further action should be taken.	Closed
02/12/21	West Northamptonshire Council A complaint was received that the subject Member did not declare an interest at meeting.	The Monitoring Officer concluded that there had been no breach by the subject Member of the Member Code of Conduct. No further action.	Closed.
8/12/21	West Northamptonshire Council This complaint relates to before 1 April 2021.	The Monitoring Officer, concluded that the complaint is not suitable to be referred for investigation and no further action should be taken.	Closed
13/12/21	West Northamptonshire Council Three complaints submitted under paragraph 8 of the Code of Conduct	The Monitoring Officer held discussions with the subject Members. Matter resolved informally	Closed

4. Issues and Choices

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

5. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 There are no immediate financial implications arising from the proposals.

6.1.2 There are no direct manpower implications arising from this report, however, the Committee will be aware that the handling and processing of complaints is resource intensive. A 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 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 Parish Councils within West Northamptonshire. The Council has a legal duty to respond to complaints made against councillors of allegations of a breach of the Code of Conduct.

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. An annual report of the Committee will include complaints handling through the Committee.

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

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 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))

This page is intentionally left blank

WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

27 JANUARY 2022

Report Title	Work Programme of the Democracy and Standards Committee
Report Author	Tracy Tiff, Deputy Democratic Services Manager, tracy.tiff@westnorthants.gov.uk 01604 837408

Contributors/Checkers/Approvers		
MO	Catherine Whitehead	17 January 2022
Deputy MO	Geoff Wild	
S151	Martin Henry	18 January 2022

List of Appendices

Appendix A – Proposed Work Programme (copy to follow)

1. Purpose of Report

- 1.1 The purpose of this report is to note the work carried out by the Committee in its first year and to propose a work programme for 2022/2023

2. Executive Summary

- 2.1 The purpose of this report is to note the work carried out by the Committee in its first year and to propose a work programme for 2022/2023.

3. Recommendations

- 3.1 The Democracy and Standards Committee is recommended to:

- a) To note the completion of the tasks set by the Committee between May and December of its first year.

- b) To consider and approve the proposed work programme for 2022/3 making any changes that the Committee considers appropriate.

3.2 *Reasons for Recommendations*

- 3.2.1 To highlight the work carried out by the committee in fulfilling its statutory duty to promote and maintain high standards of ethical conduct.
- 3.2.2 To plan the committee's workload and ensure that there is capacity to support the work of the committee.
- 3.2.3 A draft work programme for the Committee for 2022/23 is attached at Appendix A for consideration. It is designed to assist the Committee to meet its objectives set out in the Terms of Reference and to ensure that the Council complies with its obligations under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct amongst elected and co-opted Members.
- 3.2.4 There are recommended standard items for each meeting in relation to local and national code of conduct issues. The work programme is intended to be flexible and can cover additional areas which the Committee is particularly concerned about, as they arise.

4 **Report Background**

- 4.1 The committee has a number of key responsibilities set out below and it is important that the work of the committee is planned to enable it to meet those responsibilities and ensure that the work of the committee is appropriate.

Key Responsibilities

- 4.2 The terms of reference of the Democracy and Standards Committee are set out in Part 4 Committees in the Council's Constitution. They are as follows:
 - (a) to have overall responsibility for the Council's Constitution and decision making governance
 - (b) to make necessary decisions in relation to Elections and to have responsibility for the Community Governance and Boundary Reviews on behalf of the Council
 - (c) To oversee and develop the Council's Code of Conduct and overall standards of conduct for Council Members, co -opted Members and Parish and Town Councillors of West Northamptonshire

In relation to 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.

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.

Proposed Work Areas:

- 4.3 Set out below are some of the key work areas proposed for the Standards Committee in the coming year which have been included within the draft work programme.

Boundary Review

- 4.3.1 The committee has established a Boundary Review Task and Finish Group and there will be a significant task for the committee to be completed by July of this year to prepare the submission on Council Size and thereafter to prepare the submission in relation to ward boundaries. This work will be a significant role of the committee over the coming year and will therefore appear regularly on the work programme. Standards Responsibilities

As detailed above, "The Standards responsibilities of the Committee are 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."

- 4.3.2 It is recommended that as in the previous year the committee should continue to receive statistical data in relation to complaints received and dealt with, to support the committee in reviewing and making any necessary changes including the provision of additional training to raise standards where this is indicated.

Review of National Changes and Trends

- 4.3.3 The Committee will continue to be kept up to date with national reviews relevant to the work of the committee. These may result in the need to make changes to the Constitution or the ethical framework or to take other action to ensure that the Council's procedures and codes are responsive to wider guidance and legislative changes.

Member Training and Development

- 4.3.4 The work of the committee includes specific responsibilities in relation to member training and the monitoring of the delivery and attendance at agreed training and in particular mandatory training events.

Reports from the Monitoring Officer

- 4.3.5 As appropriate the Monitoring Officer may bring reports which more specifically relate to the Committee's statutory duty to Promote and maintain high standards of conduct by Members and co-opted Members of the Council, Parish and Town Councils.

Annual Report of the Standards Committee

4.3.6 It is good practice for a standards committee to report to Council on the way in which it has carried out its duties each year to allow the wider membership to comment or make suggestions to the committee. As this is the first year of the committee which held its first meeting in July 2021. It is recommended that the Committee present its first annual report to the Council meeting on 30th June 2022.

Other matters

4.3.7 Members are invited to consider the draft work programme and suggest any changes or additional matters for consideration.

5 Issues and Choices

5.1 Members are asked to review the draft work programme and consider whether it is appropriate to meet the duties and responsibilities of the committee set out above.

6 Implications (including financial implications)

6.1 Resources and Financial

6.1.1 There are no immediate financial implications arising from the proposals. However, should additional items be added to the work programme consideration of the cost of any associated work would need to be considered separately.

6.1.2 There are no direct manpower implications arising from this report, however, the Committee will be aware that the conduct of reviews and support to Task and Finish groups does require officer input and there can therefore be a cumulative resource implication.

6.2 Legal

6.2.1 The Council has a legal responsibility under the Localism Act in relation to standards of conduct it also has a duty to respond to complaints made against councillors of allegations of a breach of the Code of Conduct; a responsibility to maintain a constitution and to conduct boundary and other reviews as required. The Council has delegated core responsibility for these matters to the Committee.

6.3 Risk

6.3.1 There are none specifically.

6.4 Consultation

6.4.1 The Committee does not carry out consultation on its work programme but does carry out specific consultation as appropriate for example in relation to the constitution or supports the carrying out of consultation where necessary in relation to reviews of boundaries.

6.5 Consideration by Overview and Scrutiny

6.5.1 The Standards Committee is a Committee carrying out non-executive functions which are the remit of full Council. The Annual Report is designed to consult the wider membership of the Council on the way that the Committee carries out the Council's statutory functions

6.6 Climate Impact

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

6.7 Community Impact

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

7 Background Papers

None

WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE

WORK PROGRAMME 2022/2023 **Draft version 1**

Date of the Democracy and Standards Committee	Topics and Rationale
27 January 2022	<ul style="list-style-type: none"> • Member Development – To provide an update on Member training for the Committee’s information and seek support for the classification and requirements in relation to the Member training programme • Statistics – code of Conduct Arrangements – Six monthly update – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • Work Programme 2022/2023 - To note the work carried out by the Committee in its first year and to propose a work programme for 2022/2023
31 March 2022	<ul style="list-style-type: none"> • Boundary Review Task and Finish Group - To provide an update on progress of the work of this Task and Finish Group • Mandatory Training for Members - To review mandatory training for Members • National Changes – Ethics and Standards – To provide an update on national changes in respect of Ethics and Standards that may impact on the Council’s arrangements for ethical standards • Work Programme 2022/2023 - To review the Work Programme 2022/2023 for the Democracy and Standards Committee

26 May 2022	<ul style="list-style-type: none"> • Boundary Review Task and Finish Group - To provide an update on progress of the work of this Task and Finish Group • Register of Members' Interests - To provide an update regarding the operation of the Register of Members' Interests 2021/2022 • Annual Report of the Democracy and Standards Committee 2021/2022 – To consider the draft Annual Report of the Democracy and Standards Committee 2021/2022 • Work Programme 2022/2023 - To review the Work Programme 2022/2023 for the Democracy and Standards Committee
28 July 2022	<ul style="list-style-type: none"> • Statistics – code of Conduct Arrangements – Six monthly update – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • Member Development – 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 • Work Programme 2022/2023 - To review the Work Programme 2022/2023 for the Democracy and Standards Committee
22 September 2022	<ul style="list-style-type: none"> • Mandatory Training for Members - To review mandatory training, including refresher training for Members • Training for Democracy and Standards Committee - to consider any training specific to the Democracy and Standards Committee Members • National Changes – Ethics and Standards – 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) • Work Programme 2022/2023 - To review the Work Programme 2022/2023 for the Democracy and Standards Committee
26 January 2023	<ul style="list-style-type: none"> • Statistics – code of Conduct Arrangements – Annual Review – To provide an update on the number of complaints received and dealt with, in respect of the Code of Member Conduct • Member Development – 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 • National Changes – Ethics and Standards – 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) • Work Programme 2023/2024 - To propose a work programme for the Committee for 2023/2024