

WEST NORTHAMPTONSHIRE COUNCIL

28 September 2023

Report by the Democracy and Standards Committee

Report Title Annual Report 2022/2023 of the Democracy and Standards Committee

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List of Appendices

Appendix A – Annual Report 2022/2023 of the Democracy and Standards Committee

1. Purpose of Report

- 1.1 The purpose of this report is to present to full Council the Annual Report of the Democracy and Standards Committee for 2022/2023. The report notes the work undertaken by the Committee during 2022/2023.
- 1.2 At its meeting on 15 June 2023, the Democracy and Standards Committee approved its Annual Report 2022/2023 for submission to full Council .

2. Executive Summary

- 2.1 The purpose of this report is for full Council to note the Annual Report 2022/2023 of the Democracy and Standards Committee.

3. Recommendations

3.1 Full Council is recommended to:

- a) Note the Annual Report 2022/2023 of the Democracy and Standards Committee.

3.2 Reasons for Recommendations

3.2.1 To highlight the work carried out by the Democracy and Standards Committee in fulfilling its statutory duty to promote and maintain high standards of ethical conduct.

3.2.2 To highlight the work carried out by the Democracy and Standards Committee in relation to Member Development and Democracy.

3.2.3 The Democracy and Standards Committee, at its meeting in June 2023 agreed that it would present its first annual report to full Council.

4 Report Background

4.1 The Democracy and Standards 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. The Annual Report details how the Committee has met these responsibilities.

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 Democracy and Standards 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 Democracy and Standards 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.

4.3.2 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.

5 Issues and Choices

5.1 Full Council is asked to note the Annual Report 2022/2023 of the Democracy and Standards Committee.

6 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.

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 Democracy and Standards Committee was consulted on the draft Annual Report 2022/2023 at its meeting on 15 June 2023.

6.4.2 All Members of West Northamptonshire Council will receive a copy of the report at the meeting of full Council on 28 September 2023.

6.5 Consideration by Overview and Scrutiny

6.5.1 The Democracy and 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

Reports, minutes and agendas of the meetings of the Democracy and Standards Committee from July 2022 to 15 June 2023