

**WEST NORTHAMPTONSHIRE COUNCIL
DEMOCRACY AND STANDARDS COMMITTEE**

27 JANUARY 2022

Report Title	Work Programme of the Democracy and Standards Committee
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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