



**West
Northamptonshire
Council**

Democracy and Standards Committee

Annual Report 2021/2022

Message from Councillor Suresh Patel, Chair, Standards Committee

This is the first Annual Report of the Democracy and Standards Committee.

It has been a very busy year for the Democracy and Standards Committee. Instead of a complete commentary of all that the Committee has achieved over the year this Annual Report provides a summary of the key highlights of the work the Committee has been engaged in during 2021/2022.

The Democracy and Standards Committee (the Committee) promotes and maintains high standards of conduct.

The work of the Committee includes:

- Having an overall responsibility for the Council's Constitution and decision-making governance
- Making necessary decisions in relation to Elections and having responsibility for the Community Governance and Boundary Reviews on behalf of the Council
- Overseeing and developing 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
- 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
- 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)
- Preparing submissions on behalf of the Council to the Local Government Boundary Commission for England in relation to the governance of the area
- Preparing submissions on behalf of the Council to the Parliamentary Boundary Commission for England. Promoting and maintaining high standards of conduct by Members and co-opted Members of the Council, Parish and Town Councils
- 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
- 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
- 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
- Granting dispensations to Members and co-opted Members from requirements relating to interests
- 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
- 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 Determining allegations of misconduct on the part of Members and co-opted Members of the Council, Parish and Town Councils

I would like to thank everyone for their endeavours to uphold these standards. My thanks are particularly extended to the four Independent Persons for their input into Code of Conduct complaints. I would also like to pass on my thanks to the Monitoring Officer, Democratic Services and Election staff.



Councillor Suresh Patel
Chairman, Democracy and Standards Committee

Introduction

West Northamptonshire Council has a duty to promote and maintain high standards of conduct by Members and Co-opted Members and the Council aims to have the highest possible ethical standards in place across the Council.

Membership of the Democracy and Standards Committee 2021/2022

The Democracy and Standards Committee comprised the following Members for 2021/2022:

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

Independent Persons

Under the Localism Act 2011, the Council is required to appoint one or more Independent Persons to assist in the Standards process. The functions of the Independent Persons are:

- they must be consulted by the authority and their views taken into account before the authority makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that member. (This means that their views must be sought on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any local resolution of the complaint, or on any finding of breach and on any decision on action as a result of that finding).
- they may be consulted by the authority in respect of a standards complaint at any other stage; and
- they may be consulted by a member or co-opted member of the Borough Council or of a Parish Council against whom a complaint has been made.

In 2021 the Council appointed the following Independent Persons:

Tom Edwards
Peter Glover
Alan Haynes
John Peachy

During 2021/2022 the Monitoring Officer consulted the Independent Persons on a number cases.

Work of the Democracy and Standards Committee during 2021/2022

During the year the Standards Committee has met five times. Its work consisted of:

- Approval of the Work Programme of the Democracy and Standards Committee
- To action items on the Work Programme
- To undertake a review of the Council's Constitution
- To undertake a Boundary Review, making recommendations to full Council
- To receive statistics in relation to the number of complaints received and dealt with in respect of the Code of Conduct
- To oversee Member Development and identify further training needs and to identify mandatory training
- Approval of the first Annual Report of the Democracy and Standards Committee

Code of Conduct

Complaints about Councillors are dealt with as part of the Council's standards process.

This Council's arrangements for dealing with complaints against Councillors also apply to complaints made about Parish Councillors within West Northamptonshire.

Each Parish Council is responsible for adopting a code of conduct for its Parish Councillors.

Code of Conduct Complaints

During 2021/2022 the Committee was appraised of the completed complaints and any outstanding complaints of alleged breaches of the Code of Conduct since May 2021 to January 2022:

Date received	Council	Assessment of the Monitoring Officer	Status
08/06/21 (on the prescribed form)	West Northamptonshire Council Complaint regarding failure to declare a non-pecuniary interest and continuing to participate, debate and vote.	The Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code - Referred for Investigation	Closed. Investigation taken place – alternative form of resolution recommended - that equalities training be undertaken
06/07/21	Parish Council Complaint regarding alleged bullying.	The complaint is currently on hold whilst the results of another matter are awaited.	Live whilst the results of another matter are awaited
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	No further action. The Councillor was not acting in the capacity as	Closed

	made by the subject Member	Councillor	
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 regarding the completion of all sections of the Register of Interest form	The Monitoring Officer was in discussion with the subject Members. Matters resolved informally	Closed
11/09/21	West Northamptonshire Council Complaint regarding the completion of all sections of the Register of Interest form	The Monitoring Officer held discussions with the subject Member. Matter resolved informally	Closed
13/09/21	Parish Council Complaint regarding failure to declare a non-pecuniary interest and continuing to participate, debate and vote.	The Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code – Referred for Investigation	Closed. Investigation taken place – alternative form of resolution recommended - that equalities training be undertaken
14/09/21	West Northamptonshire Council Complaint submitted regarding the completion of all sections of the Register of Interest form	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	No further action in accordance	Closed

	Complaint regarding publication made by the Parish Council	with complaints regarding the Member Code of Conduct – Outside the Scope of the Code of Conduct	
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 Further information requested on 1/11/21 to enable the Monitoring Officer to undertake an initial assessment – information not received from the complainant	No further action as the requested information was not received.	Closed
27/10/21	West Northamptonshire Council Three complaints submitted regarding the completion of all sections of the Register of Interest form	The Monitoring Officer held discussions with the subject Members. Matter resolved informally	Closed
30/10/21	West Northamptonshire Council Complaint submitted regarding the completion of all sections of the Register of Interest form	The Monitoring Officer held discussions with the subject Member. Matter resolved informally	Closed
8/11/21	West Northamptonshire Council Complaint submitted regarding the completion of all sections of the Register of Interest form	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 in respect of not behaving in accordance with the seven Nolan Principles of public life	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 respect of alleged bullying	Monitoring Officer, in consultation with the Independent Person, confirmed the complaint is not suitable for formal 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.	Closed
28/11/21	West Northamptonshire Council Complaint in respect of alleged bullying and non-disclosure of interests.	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 Complaint received in respect of alleged bullying and non-disclosure of interests. 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	The Monitoring Officer concluded that there had been no breach by the subject Member of the Member Code of Conduct. No	Closed.

	declare an interest at meeting.	further action.	
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 regarding the completion of all sections of the Register of Interest form	The Monitoring Officer held discussions with the subject Members. Matter resolved informally	Closed

Councillor Training and Development

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.

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.

West Northamptonshire Council has a robust and comprehensive training and development programme for Councillors that is aimed to equip them with the required knowledge and skills to enable them effectively to carry out their various roles. Councillor training and development comprises both core and mandatory development sessions. 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.

Mandatory training includes Licensing training for Members of that Committee, Planning Committee training and all Councillors are required to attend training on the Council's Council Code of Conduct and associated issues. Core training includes a general introduction for all Councillors – "Hitting the ground running" - to bring them up to a good basic understanding of their remit and key local government context. A session on Councillor Roles and Relationships that outlines the different roles of Councillors and officers, expectations of each other and how to create and maintain constructive and effective relationships the differing (but complementary) roles of councillors.

Committee specific sessions are held, including a session for Councillors on the Audit Committee to understand how to be most effective in this role, and how to draw on the insights of auditors to ensure that the public can have confidence in the way the council is managing its financial affairs; sessions in relation to Overview and Scrutiny, such as work programming and "doing good scrutiny - understanding

what makes for effective and impactful scrutiny.” Chairing skills is a key training session for all Chairmen, Vice Chairmen, and prospective Chairmen. A session on Local Government Finance covered an introduction to Local Government Finance and picked out the key figures and issues from the previous year’s budget. In addition to a comprehensive development programme, regular important briefing sessions are held for all Councillors, for example around mineral and waste planning, decarbonisation of the Pensions Fund.

All sessions are currently held remotely over an online audio and web conferencing platform with the aim to maximise attendance. All training and briefing sessions are recorded and saved into a Teams Channel for Councillors to access again at a later date. The Committee received at its meeting in January 2022 statistics in relation to the training sessions held the number of Councillors attending each session.

In addition, the Learning & Development (L&D) Service support 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. A number of resources available for Members within the Council’s e-learning system.

Constitution Review

The Committee established a Task and Finish Group to conduct a review of the Council’s Constitution and make proposals to the Committee for onward recommendations to Cabinet and full Council. The Committee approved a consultation programme for the Constitution review which was a consultation exercise with elected Members, NCALC and the general public that took place during August 2021. The results of the consultation exercise, together with proposed amendments put forward by Officers, were considered by the Task and Finish Group over two meetings in September 2021. The outcome of those meetings was a revised Constitution that was approved by full Council at its meeting in December 2021.

Local Government Boundary Review

The Committee established a Task and Finish Group lead on putting forward suggestions for the submission to the Local Government Boundary Commission for England for the Local Government Boundary Review for West Northamptonshire Council. The draft submission document as proposed by the Committee will be presented to full Council at its June 2022 meeting for consideration and approval. The submission document will then be submitted to the Local Government Boundary Commission for England. The Task and Finish Group of the Democracy and Standards Committee will then continue further work on this review, concentrating on ward boundaries.

Future Activity

The Work Plan for 2023/2024 will be considered by the Democracy and Standards Committee at its January 2023 meeting. It will include standing annual items but will evolve as necessary during the year, taking into account any developing issues pertaining to democracy and standards.