



WEST NORTHAMPTONSHIRE JOINT COMMITTEE

Monday, 3 February 2020

Daventry District Council, Lodge Road, Daventry,
NN11 4FP
6:00 pm

Ian Vincent
George Candler
Theresa Grant
Richard Ellis

Daventry District Council
Northampton Borough Council
Northamptonshire County Council
South Northamptonshire Council

Councillor Richard Auger
Councillor Adam Brown
Councillor Alan Chantler
Councillor Ken Ritchie
Councillor Jonathan Nunn
Councillor Phil Larratt
Councillor Stephen Hibbert
Councillor Danielle Stone
Councillor Matt Golby
Councillor Malcolm Longley
Councillor Stephen Legg
Councillor Suresh Patel
Councillor Ian McCord
Councillor Rebecca Breese
Councillor Peter Rawlinson
Councillor Chris Lofts

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Northamptonshire County Council
South Northamptonshire Council
South Northamptonshire Council
South Northamptonshire Council
South Northamptonshire Council

If you have any enquiries about this agenda please contact democraticservices@northampton.gov.uk or 01604 837722

SPEAKING AT WNJC MEETINGS

If you wish to speak at the West Northamptonshire Joint Committee meeting please contact democraticservices@northampton.gov.uk or call 01604 837722

WEST NORTHAMPTONSHIRE JOINT COMMITTEE

Your attendance is requested at a meeting to be held:
at Daventry District Council, Lodge Road, Daventry, NN11 4FP
on Monday, 3 February 2020
at 6:00 pm.

AGENDA

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS/PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCE THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 6. PRESENTATION - FUTURE NORTHANTS PROGRAMME UPDATE**
 - General update
 - Interim and permanent recruitment update
 - Working with Trade Unions Agreement
 - Communications and Engagement Update
- 7. FUTURE NORTHANTS FINANCE MONITORING REPORT**
- 8. FUTURE NORTHANTS ENGAGEMENT STRATEGIES (INTERNAL AND EXTERNAL)**
- 9. STRUCTURAL CHANGE ORDER VERBAL UPDATE**
- 10. REPORT OF THE GOVERNANCE TASK AND FINISH GROUP**

WEST NORTHAMPTONSHIRE JOINT COMMITTEE

Tuesday, 7 January 2020

PRESENT: Councillor Jonathan Nunn, Chair, (Northampton Borough Council)
Councillor Richard Auger, Vice Chair, (Daventry District Council)

Councillor Adam Brown, Daventry District Council
Councillor Alan Chantler, Daventry District Council
Councillor Ken Ritchie, Daventry District Council
Councillor Phil Larratt, Northampton Borough Council
Councillor Stephen Hibbert, Northampton Borough Council
Councillor Danielle Stone, Northampton Borough Council
Councillor Matt Golby, Northamptonshire County Council
Councillor Malcolm Longley, Northamptonshire County Council
Councillor Stephen Legg, Northamptonshire County Council
Councillor Suresh Patel, Northamptonshire County Council
Councillor Ian McCord, South Northamptonshire Council
Councillor Rebecca Breese, South Northamptonshire Council
Councillor Peter Rawlinson, South Northamptonshire Council
Councillor Chris Lofts, South Northamptonshire Council

1. APOLOGIES

There were no apologies from Members of the West Northamptonshire Joint Committee.

2. MINUTES

The Minutes of the meeting of the Committee held on Wednesday 5th June 2019 were agreed as a correct record and signed by the Chair.

3. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

4. DECLARATIONS OF INTEREST

There were none.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCE THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. FUTURE NORTHANTS PROGRAMME UPDATE

The Chief Executive of Northamptonshire County Council (NCC) gave the Committee a presentation on Future Northants - Programme Update. The salient points were highlighted.

In response to questions around Trade Unions, Change Champions and their demographics, the Committee heard that all service areas across the Authorities were represented by a Change Champion; the Change Managers were working well, organising their own events, getting information out to staff and feeding back concerns. It was explained by the Director of People for NCC, that Trade Unions had been provided with draft proposals and further meetings with them had been arranged.

In response to a question around assets, the Committee heard that the Structural Changes Order (SCO) stipulated that there must be agreement regarding the division of assets by the “go live” date. It was noted that the Ministry for Housing, Communities and Local Government (MHCLG) would not interfere with these arrangements if they were resolved locally.

The Committee was informed that the LGA had appointed a “critical friend” who had been through the unitary process before; this representative met regularly with the four Chief Executives of the Sovereign Councils and produced notes; these were not published, however, the Chief Executive, NCC, agreed that a report detailing the results of the LGA review would be beneficial. They further heard that their roles in respect of decision-making were clearly set out in the Terms of Reference (ToR). Members would be given sufficient information to be able to make those decisions. There would be touchpoints throughout the design process where details could be fed back to the wider membership and a full briefing at the blueprint stage, allowing Members to be engaged with the final sign-off of the programme. It was explained that the SCO was an order of interest and was expected to be passed through Parliament in 4-6 weeks. MHCLG would be meeting with the Leaders of the Sovereign Councils on 22nd January 2020 where it was hoped that further information would be given in respect of the SCO.

In response to a question around the various service contracts, it was explained that designing the organisations would precede the Financial Strategy; at that stage it would become clear whether the new organisations could carry out their duties and the blueprint for an affordable organisation model would be built. Regarding the highways contract, it was agreed by the Leaders that the contract would go out to tender in the next few weeks. An update would be brought to the Leaders Oversight Board in February 2020. The public would also be notified of this in the coming weeks, along with a notice for an extension of the current highways contract.

Councillor Richard Auger commented that when pricing up services, the West Northamptonshire Joint Committee needed to understand that they would not know how much money they had to spend, so as many options as possible were necessary so that when the Shadow Authority was created, it had an opportunity to choose services based on price.

RESOLVED:

1. That the contents of the report be noted.

7. FUTURE NORTHANTS FINANCE UPDATE

The Section 151 Officer for Daventry District Council submitted a report providing an update on the financial position for the Future Northants Programme and highlighted salient points.

In response to a question regarding savings in both Children and Adult Services, the Committee heard that the majority of savings had already been made and these were detailed in monthly monitoring reports produced by Northamptonshire County Council. Adult Social Care was delivering savings, however there were some issues with Children’s Social Care. The monitoring reports detailed mitigations where savings could not be achieved in one area, they would be achieved in another. A monitoring report would be brought to the WNJC at its meeting in February that would provide further details in respect of the savings in relation to the delivery of the figures contained in the appendix.

In response to questions regarding business rates, the Committee heard that a contingency had been kept aside in case of any fluctuation, the exact amount having been based on predicted figures.

In answer to a question regarding the financial position and the estimated forecast 5 year total cash savings of up to £430 million, the Committee was advised that risk assessments would be undertaken and a contingency kept regarding business rates. There were annual forecast savings of £85.9 million. Monthly monitoring reports are produced. It was highlighted that there would be substantial savings when the West went to Unitary.

RESOLVED:

1. The baseline financial position for the level of Future Northants programme investment and benefits estimated to arise from the LGR Programme as shown in the Appendix 1 is noted.
2. The financial monitoring process for reporting the Joint Committee outlined in the report is noted.
3. The Future Northants programme delegations for reporting virement between Programme Workstreams and the process for reporting changes to the baseline financial position for investment and benefits outlined in paragraph 3.2.11 of the report is noted.

8. INTERIM STATUTORY OFFICER RECRUITMENT

At this juncture statutory Officers, apart from the two advising the Committee, left the room.

The Director of People for Northamptonshire County Council presented a report that outlined the approach to the recruitment of interim statutory roles for the West Northamptonshire Shadow Unitary Council.

In response to questions, the Committee heard that the Chief Executives from the seven Sovereign Councils would be encouraged to apply for the interim roles and if there was no interest, a further report would be submitted to the West Northamptonshire Joint Committee detailing a further option.

The NCC Director of People highlighted the key points contained in the report:

- The interim role of the Chief Executive of the Shadow Authority would be a full time role from May to October 2020.
- The Monitoring Officer and S151 Officer would undertake these role, as well as their existing substantive roles.
- The Interim roles are very different to the permanent roles.

The Committee made comment, asked questions and heard:

- In response to a query, the Committee heard that the budget for the Shadow Authority would be published later this year.
- It was anticipated that the permanent roles would be in place by December, if not October 2020.

RESOLVED that:

1. The recruitment and selection approach to the Interim appointments of Head of Paid

Service, Section 151 Officer and Monitoring Officer is endorsed.

9. PERMANENT STATUTORY OFFICER RECRUITMENT

This report outlined the proposed approach and timetable in relation to the permanent recruitment of the Statutory roles for the West Shadow Unitary Council.

The NCC Director of outlined the timetable for the recruitment process. It was highlighted that it was expected that successful candidates for the roles would have to give 3-6 months' notice, possibly longer.

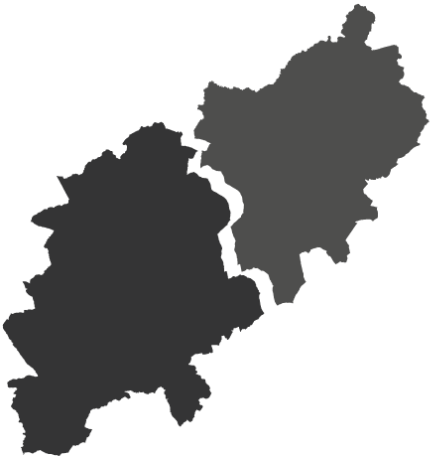
The Committee made comment:

- The recruitment process was welcomed.
- It was noted that Terms and Conditions would not be finalised until May 2020. Benchmarking would take place.

RESOLVED: that:

- 1- The key milestones and timescales for permanent recruitment are endorsed.
- 2- The tendering specification (as detailed in Appendix 1 to the report) and the tendering process is started in January 2020; and a provider engaged for February 2020 are endorsed.
- 3- The next steps are endorsed:
 - West Northamptonshire Joint Committee to agree permanent Statutory Officer job descriptions and remuneration packages (January 2020).
 - To advertise the roles nationally through search agency (subject to agreement of job descriptions, remuneration packages and Statutory Changes Order being agreed.)

The meeting concluded at 7:30 pm



FUTURE NORTHANTS

February 2020 Programme Update

Programme Directors Update

- Programme Status – High Level
- Design Phase Status
- Statutory Roles – Update
- Engagement with Trade Unions
- o Communications and Engagement update



FUTURE
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Programme Status – High Level

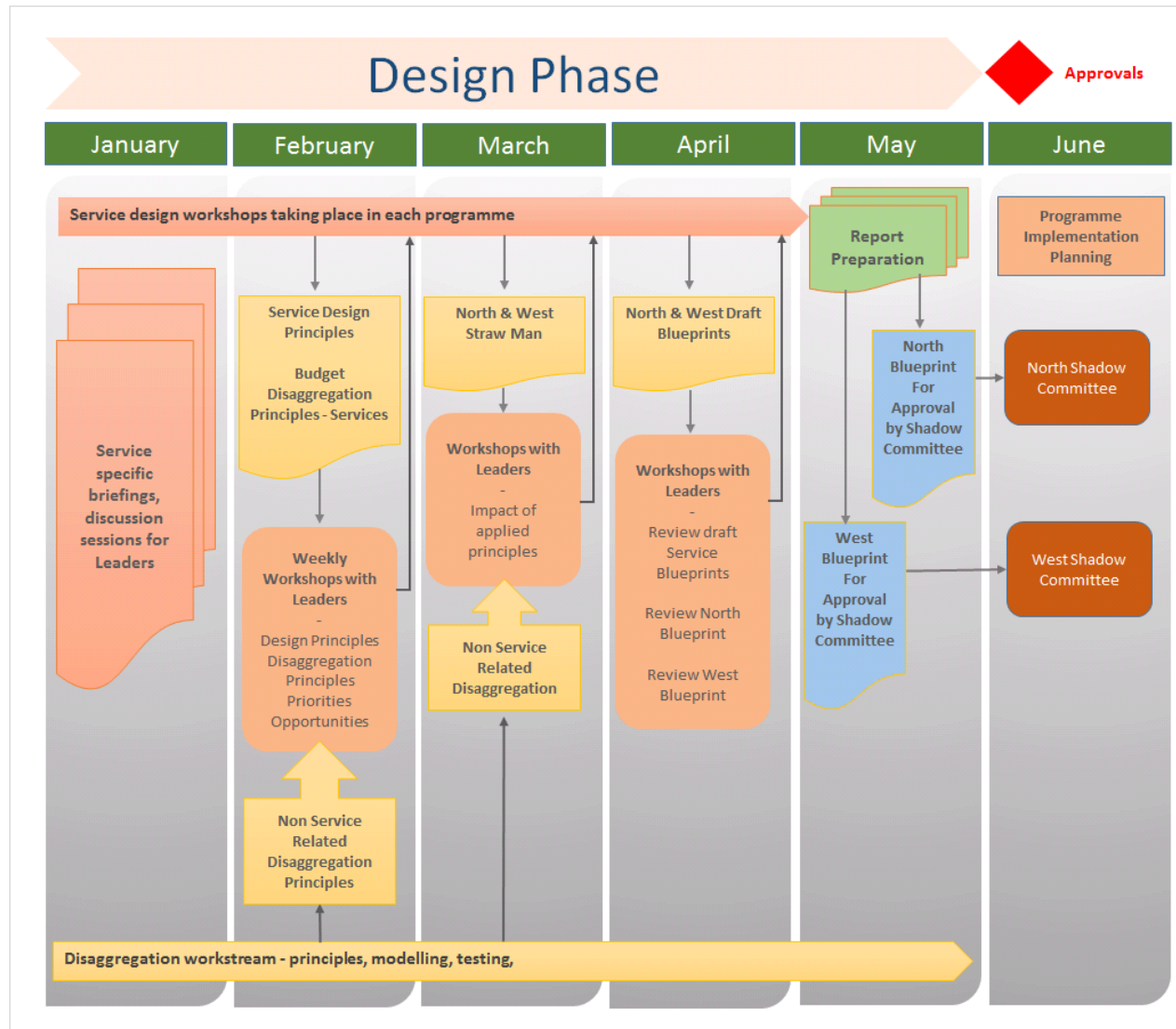
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Finance	Overall Status	Comments
Programme Running Costs	G	
Benefits Realisation	G	
Disaggregation/Aggregation	G	
Financial Modelling	G	
Day One Preparations	Overall Status	Comments
Scoping activity	A	Further work required to to fully map and display in engine room
May Preparations	Overall Status	Comments
Interim/Perm Stat Recruitment	G	Further work required to to fully map and display in engine room



Design Phase

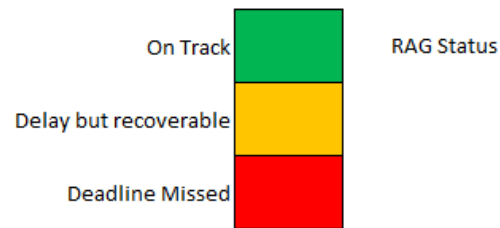
- The programme of work to deliver the design phase is staged month by month
- February is the commencement of the design principles phase
- These principles will be applied to the formative design (strawman) for further testing in March
- Preparation of Blueprints will take place in April
- Joint Committee will take recommendation to Shadow Unitary



Design Phase Tracking Status

- December preparation completed
- Monitoring progress on completing the January outputs
- February design workshops underway

	2019	2020					
	Dec	Jan	Feb	Mar	Apr	May	Jun
Programme Status Report - Design Phase	Preparation	Service Briefings	Design Workshops	Straw Man	Draft Blue Prints	Reports	Approvals
Adult Social Care							
Children's Social Care and Education							
Growth and Infrastructure and Public estates							
Revs and Bens							
Communities amd Leisure							
Housing							
Corporate Services and Customer and Digital							
Regulatory and Environmental Services							



Recruitment to Statutory Roles

Interim Recruitment - Statutory Roles (Head of Paid Service, Monitoring Officer, s.151 Officer)

- ✓ WNJC endorsed the interim recruitment and selection approach, 7 January 2020
- ✓ Meetings diarised with 'Interim Appointments Task and Finish Working Group' to progress recruitment actions

Permanent Recruitment update – Statutory Roles (Head of Paid Service, Monitoring Officer, s.151 Officer, DCS and DASS)

- ✓ WNJC endorsed the permanent recruitment and selection approach and high level timescale, 7 January 2020
- ✓ Benchmarking of market rates for statutory roles undertaken – to be shared through established governance structure for decision on advertised salary ranges for roles
- ✓ Draft role profiles for statutory roles in development
- ✓ Procurement process for external search agency underway



FUTURE
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Unitary Working With Trade Unions Agreement

- ✓ Design Board agreed Unitary Working with Trade Unions Agreement and 2.5 days facility time to coordinate unitary related trade union activities -16 January 2020
- ✓ Discussions with the trade unions ongoing – additional feedback received from Trade Unions 22 January 2020
- ✓ _Diary appointments for both Trade Union Forums being progressed for meetings over →the next 10-12 months.



Communications and engagement

Recent activity

- ✓ All Northamptonshire staff briefings – presentations, Q&As
- ✓ Issued first of regular staff and Cllr newsletters with portfolio and programme updates
- ✓ Engine Room set up and used for several briefings and tours
- ✓ Comms and Engagement leads on all programmes of work
- ✓ External and internal engagement strategies developed (agenda item)



FUTURE
NORTHANTS



Communications and engagement

Coming up

- Branding Audit to commence and planning timelines for branding and requirements for day one.
- SCO progress announcements
- Change Champions Events
- Engine room tours for all elected members
- Elections preparations



FUTURE
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Change Champions

- Two sessions held based on North/West geography
- First meeting of borough and district champions with some county champions attending in the north and in the west.
- Champions asked to share perceptions of the programme and challenges facing staff
- Networking opportunity
- **Excellent turnout with circa 120 colleagues attending**





WEST NORTHAMPTONSHIRE JOINT COMMITTEE

3rd February 2020

Report Title	Future Northants Finance Monitoring Report
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AGENDA STATUS: PUBLIC

1. Purpose

1.1 The purpose of this report is to provide a summary of the forecast outturn position of the Future Northants Programme.

2. Recommendations

It is recommended that the WNJC:

2.1 Note the forecast outturn position for the Future Northants Programme.

3. Issues and Choices

3.1 Report Background

3.1.1 At the meeting of the 7th January 2020, this committee were presented with a report that set out the Future Northants Programme baseline financial position, as summarised below.

Estimated Total Investment	Forecast Annual Budget Savings
£43.5m	£85.9m

3.1.2 The investment would be funded from Business Rates Retention Pilot monies, contributions from each of the eight councils in Northamptonshire and Northamptonshire County Council transformation budgets.

3.1.3 The investment is anticipated to realise significant benefits for the residents of the West Northamptonshire. The benefits expected to arise will be financial through being more efficient and non-financial through better management of service demand and improvements to service levels.

3.1.4 This report provides an update on the outturn position, compared to the baseline, for the Future Northants Programme.

3.1.5 It should be noted that the investment of £43.5m does not include any update on budget proposals for transformation during 2020/21 from any of the eight authorities. Once the 2020/21 budgets have been finalised the position will be updated and reported back to this committee.

3.2 Issues and Choices

3.2.1 The investment and benefits by workstream are set out in Appendix 2.

3.2.2 The summary outturn position is shown below:

	Total Budget £'000	Forecast £'000	Variance £'000
Investment Costs			
Programme Team	8,183	6,958	-1,189
Business Rates Retention Pilot	15,050	15,050	0
NCC Transformation	2,952	2,273	-679
Other Programme Costs	17,265	17,265	0
Total Investment	43,450	41,566	-1,868

Benefits			
Business Rates Retention Pilots	36,619	36,619	0
NCC Transformation	41,415	33,898	7,517
LGR	7,900	7,900	0
Total Benefits	85,934	78,417	7,517

3.2.3 Explanations for variances:

Programme Team (£1,189k favourable variance)

Compared to the baseline position not all posts were filled from the assumed start day in September 2019. Whilst it is currently showing a favourable position, due to these vacancies, it is inevitable that more staff will be needed later on as the level of work has not diminished and will still need completing. It is also certain that when the eventual splits of the North and West workstreams happen that the programme team requirements will need reviewing.

NCC Transformation (£679k favourable variance on investment - £7,517k adverse on Benefits)

It has been widely reported to NCC Cabinet, the latest being 14th January 2020, the position on both the investment and savings forecast outturn position producing the above variances. Please see Appendix 1 for an extract from that report explaining the variances in full.

3.2.4 It is important to note that the variance on Benefits of £7,517k has been mitigated with savings and additional income across all services in NCC to produce their current overall projected outturn position of £29k underspend, to be confirmed at February Cabinet. The £7,517K has been robustly challenged and any savings that are not achievable have been built back into the 2020/21 base budget for NCC, with a corresponding host of savings to mitigate that position. The new savings proposals are approximately £23m for 20/21. These proposals are all part of the current budget setting cycle and will be confirmed in February 2020.

3.2.4 The Future Northants Programme have come to the end of the discovery phase and are now entering the design phase. Much of the programme budget is forecast in line with the baseline budget set. As the design phase matures the proposed investment and benefits expected will be robustly challenged, in line with the governance arrangements set out in the West Northants Joint Committee report on 7th January 2020. The forecast outturn position will be reported to; the Design Board and Leaders Oversight Board on a monthly basis and each North and West Joint Committee as they are scheduled.

4. Implications

4.1 Policy

4.1.1 There are no direct policy implications arising from the report.

4.2 Resources and Risk

4.2.1 The report is financial in nature and clearly sets out the financial implications.

4.2.2 There are no direct human resource implications arising from the report. However, the Future Northants Programme budget does include monies for staffing to deliver the programme.

4.2.3 Risk management is a core element of the Future Northants programme. Each of the programme portfolios and work streams have risk registers embedded within them in line with established project management methodologies. These risk registers are reviewed at each portfolio board meeting. Risks are also reported by exception to Design Board and Leaders Oversight Board.

4.3 Legal

4.3.1 There are no direct legal implications arising from the report.

4.4 Equality and Health

4.4.1 There are no direct equality and health implications arising from the report.

**Report Author: Audra Statham – Programme Team Finance Enabler
Chief Finance Officer Daventry District Council**

Appendix 1

Table Three: Transformation Projects 2019-20

Transformation Projects 2019-20	Original Estimate 2019/20 £000	Revised Estimate Spend 2019/20 £000	Variance on Spend 2019/20 £000	Comment on Variance	Planned Saving 2019/20 £000	Revised Planned Saving 2019/20 £000	Variance on Planned Savings 2019/10 £000	Comment on Variance
Agency Staff Conversion: Reduce the number of agency staff in social work teams through enabling their transfer into the Council's staffing establishment	293	32	261	There have been four successful conversions in 2019-20 to date. Future uptake is currently expected to be limited at this stage, pending the success of a revised campaign.	-1,624	-77	1,547	Current forecasts are based on the part year effect of the 4 successful conversions that have occurred so far in 2019-20. The full year base budget savings going forwards from this one off investment total £100k. Assumptions have been made that there will be limited further conversions until a revised campaign is developed, at which point assumptions will be reviewed.
Renegotiation of Contract: Appointment of legal advisors who will deliver the renegotiation of the Shaw PFI contract - savings to accrue from 2020-21 onwards	168	168	0		0	0	0	
Local Government Reorganisation: Costs associated with the proposed local government reorganisation in Northamptonshire	950	0	950	This represents the County Council's 2019-20 contribution to the costs of the LGR Programme.	0	0	0	
Estimated voluntary redundancy costs associated with reducing the size of the workforce	1,000	800	200	Revised estimate of final position. Will be revised when final confirmation is received.	-1,460	-664	796	Revised estimate of final position. Final saving is dependent on confirmation of final leave dates.

Annual Cost of the Future Northants Programme, as per Strategy	2,598	2,209	389	Revised estimate based on latest forecast of staffing costs'	0	0	0	
A review of the pricing and delivery of Learning Disability services , changing the way we buy care services for adults with learning disabilities from private providers, to meet the increasing demand in the most cost-effective way. This will ensure we have more certainty of our cost and can consider better ways of providing improved outcomes.	723	723	0		-2,800	-2,800	0	
Committed Cost of the Unitary Programme - the costs associated with the employment of project colleagues, engaged in the set-up of the Future Northants Programme	298	298	0		0	0	0	
Libraries Transformation Programme - delivering provision of a fully comprehensive and efficient service	272	174	98	Reassessment of staff time input to deliver project. Also, capitalisation of IT and decommissioning costs.	-381	-315	66	Due to delayed implementation, an element of the property related savings will not be realised in 2019-20 as expected.
Transformation Roles in Children's service - supplements the transformation resources already in place through the council wide Transformation Programme to provide a coordinated approach and focus touch points within the CFN leadership team that have complete oversight and accountability for driving transformation and savings delivery across the Directorate.	180	60	120	Slippage in anticipated recruitment to posts.	0	0	0	
Single handed project - Reducing the level of resource associated with home care by using specialist equipment and training to reduce existing care or reduce care packages.	260	260	0		-1,000	-1,000	0	
Canary Pilot - Installing monitoring systems to enable long term care package savings.	53	53	0		-400	-436	-36	Current forecast suggests over delivery of target in 2019-20 due to success earlier in the year
Total:	6,795	4,777	2,018		-7,665	-5,292	2,373	

9 2019-20 Savings Delivery Performance

- 9.1 The Council has a total savings requirement of £43.4m in 2019-20. Of this, £41.4m is within 2019-20 budget set in February 2019; £1.1m is other savings measures embedded in the brought forward base from 2018-19; and £0.5m in income proposals, as set out in the table below. The deliverability of these proposals is being monitored by each accountable service lead, budget manager and senior officers.
- 9.2 The Transformation Programme is divided into four work streams – Children’s, Adults, Place and Corporate. Each work stream has its own Programme Board led by the Senior Responsible Officer, which will meet on a monthly basis throughout the year. The role of the Board is to provide robust governance and assurance by monitoring and managing programme progress, savings, impacts, risks, issues, interdependencies and benefits. This is to ensure that transformation and savings are delivered in line with corporate priorities, agreed savings targets and the Medium Term Financial Plan. Each programme Board will report to the central Transformation Board, chaired by the Chief Executive.
- 9.3 The latest assessment on the deliverability of the £43.4m savings proposals is set out in the Table below, by work stream.

Table Five: 2019-20 Savings Proposals

	Target Savings £000	Savings budgeted to be delivered at Period 12 £000	Variance currently forecast at Period 12 <i>Under/(Over) delivery</i> £000
Corporate Services	(1,578)	(1,505)	73
Children First Northamptonshire (CFN)	(10,296)	(4,326)	5,971
Place	(2,645)	(2,795)	(150)
Northamptonshire Adult Social Services (NASS)	(23,284)	(22,952)	332
Cross-cutting Programme	(3,220)	(1,928)	1,292
LGSS	(369)	(369)	0
Public Health & Wellbeing	(23)	(23)	0
Total, 2019-20 savings:	(41,415)	(33,898)	7,517

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Future Northants Programme Summary

APPENDIX 2

Programme/Workstream	LGR Programme	Health & Social Care											Total Budget Theresa Grant £000	Actual	Variance	
		Adult Social Care	Social Care Integration	Childrens Social Care	Education Services	Public Estates	Growth & Infrastructure	Housing	Revenues & Benefits	Corporate Services	Customer Contact	Regulatory Services				Environmental Services
SRO	Paul Helsby £000	David Oliver £000	David Oliver £000	Liz Elliott £000	Liz Elliott £000	George Chandler £000	George Chandler £000	Norman Stronach £000	Graham Soulsby £000	Richard Ellis £000	Richard Ellis £000	Ian Vincent £000	Ian Vincent £000			
<u>Investment Costs</u>																
Programme Team	8,183	0	0	0	0	0	0	0	0	0	0	0	0	8,183	6,994	1,189
Business Rates Retention Pilot	1,350	2,350	0	2,000	0	0	250	0	0	3,450	5,650	0	0	15,050	15,050	0
NCC Transformation	1,275	1,204	0	473	0	0	0	0	0	0	0	0	0	2,952	2,273	679
Other Programme Costs	17,265	0	0	0	0	0	0	0	0	0	0	0	0	17,265	17,265	0
Total Investment	28,073	3,554	0	2,473	0	0	250	0	0	3,450	5,650	0	0	43,450	41,582	1,868
<u>Benefits</u>																
Business Rates Retention Pilots	0	24,459	0	6,100	0	0	60	0	0	3,000	3,000	0	0	36,619	36,619	0
NCC Transformation	3,220	23,284	23	10,296	0	0	2,645	0	0	1,947	0	0	0	41,415	33,898	7,517
LGR	7,900	0	0	0	0	0	0	0	0	0	0	0	0	7,900	7,900	0
Total Benefits	11,120	47,743	23	16,396	0	0	2,705	0	0	4,947	3,000	0	0	85,934	78,417	7,517

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Future Northants Programme Investment

APPENDIX 2

Programme/Workstream	LGR Programme	Adult Social Care	Health & Social Care Integration	Childrens Social Care	Education Services	Public Estates	Growth & Infrastructure	Housing	Revenues & Benefits	Corporate Services	Customer Contact	Regulatory Services	Environmental Services	Total Theresa Grant £000	Actual	Variance
	Paul Helsby £000	David Oliver £000	David Oliver £000	Liz Elliott £000	Liz Elliott £000	George Chandler £000	George Chandler £000	Norman Stronach £000	Graham Soulsby £000	Richard Ellis £000	Richard Ellis £000	Ian Vincent £000	Ian Vincent £000			
Programme Team																
LGR	5,585													5,585	4785	800
NCC	2,598													2,598	2209	389
Total	8,183	0	0	0	0	0	0	0	0	0	0	0	0	8,183	6,994	1,189
Business Rates Retention Pilot																
Rapid response team (BRR36)		1,200												1,200	1200	0
Adults TOM review (BRR09)		400												400	400	0
Adults Review task force team (BRR08)		400												400	400	0
Overnight carers scheme (BRR45)		350												350	350	0
Improving CFNs fostering programme (BRR04)				470										470	470	0
CFN workforce programme (BRR26)				735										735	735	0
CFN practice improvement programme (BRR046)				795										795	795	0
Shared Services redesign & consolidation (BRR20)										3,200				3,200	3,200	0
Customer & Digital Strategy (BRR18)											5,650			5,650	5,650	0
Contracts Review (BRR21)										250				250	250	0
Strategic Infrastructure Plan (BRR10)							250							250	250	0
Unallocated funds	1,350													1,350	1,350	0
	1,350	2,350	0	2,000	0	0	250	0	0	3,450	5,650	0	0	15,050	15,050	0
NCC Transformation																
Social Workers Agency Staff Conversion				293										293	32	261
Renegotiation of Shaw Care PFI Contract		168												168	168	0
Voluntary Redundancy Costs	1,000													1,000	800	200
Review of Pricing & Delivery of Learning Disability Services		723												723	723	0
Committed Cost to Unitary Programme	3													3	3	0
Libraries Transformation Programme	272													272	174	98
Transformation Roles in Childrens Services				180										180	60	120
Single Handed Project (Home Care through Specialist Equipment & Training)		260												260	260	0
Canary Pilot (Monitoring systems for long term care packages)		53												53	53	0
	1,275	1,204	0	473	0	0	0	0	0	0	0	0	0	2,952	2,273	679
Other Programme Costs																
Resource - backfill	2,000													2,000	2,000	0
Legal advice	400													400	400	0
Restructuring costs	7,900													7,900	7,900	0
Shadow statutory appointments	832													832	832	0
Shadow member appointments	360													360	360	0
Recruitment to senior appointments	160													160	160	0
Branding & signage	500													500	500	0
National pay and conditions	750													750	750	0
Programme delivery contingency	3,106													3,106	3,106	0
LGR pre submission costs (May-Aug 2018)	148													148	148	0
LGR pre submission costs (Sept 18 - Aug 19)	1,109													1,109	1,109	0
	17,265	0	0	0	0	0	0	0	0	0	0	0	0	17,265	17,265	0
Total	28,073	3,554	0	2,473	0	0	250	0	0	3,450	5,650	0	0	43,450	41,582	1,868
Memorandum - NCC Transformation (2019/20 budget only, excludes 2018/19)																
- NCC Transformation Team	2,598	0	0	0	0	0	0	0	0	0	0	0	0	2,598	2209	389
- NCC Transformation	1,275	1,204	0	473	0	0	0	0	0	0	0	0	0	2,952	2,273	679
	3,873	1,204	0	473	0	0	0	0	0	0	0	0	0	5,550	4482	1,068

(figures as per NCC Cabinet 14 January 2020)

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Future Northants Programme Benefits

APPENDIX 2

Programme/Workstream	LGR Programme	Adult Social Care	Health & Social Care Integration	Childrens Social Care	Education Services	Public Estates	Growth & Infrastructure	Housing	Revenues & Benefits	Corporate Services	Customer Contact	Regulatory Services	Environmental Services	Total Theresa Grant £000	Actual	Variance
	Paul Helsby £000	David Oliver £000	David Oliver £000	Liz Elliott £000	Liz Elliott £000	George Chandler £000	George Chandler £000	Norman Stronach £000	Graham Soulsby £000	Richard Ellis £000	Richard Ellis £000	Ian Vincent £000	Ian Vincent £000			
<u>Business Rates Retention Pilot</u>																
Rapid response team (BRR36)		8,833												8,833	8,833	0
Adults TOM review (BRR09)		14,000												14,000	14,000	0
Adults Review task force team (BRR08)		1,000												1,000	1,000	0
Overnight carers scheme (BRR45)		626												626	626	0
Improving CFNs fostering programme (BRR04)				2,300										2,300	2,300	0
CFN workforce programme (BRR26)				1,400										1,400	1,400	0
CFN practice improvement programme (BRR046)				2,400										2,400	2,400	0
Shared Services redesign & consolidation (BRR20)									2,500					2,500	2,500	0
Customer & Digital Strategy (BRR18)											3,000			3,000	3,000	0
Contracts Review (BRR21)									500					500	500	0
Strategic Infrastructure Plan (BRR10)							60							60	60	0
	0	24,459	0	6,100	0	0	60	0	0	3,000	3,000	0	0	36,619	36,619	0
<u>NCC Transformation</u>																
Planned Savings 2019/20																
	1,379													1,379	949	-430
		19,084												19,084	18,716	-368
			23											23	23	0
				8,672										8,672	4,249	-4,423
							2,645							2,645	2,795	150
									1,947					1,947	1,874	-73
<u>Flexible Use of Capital Receipts (FUCR) Savings</u>																
Social Workers Agency Staff Conversion				1,624										1,624	77	-1,547
Voluntary Redundancy Costs	1,460													1,460	664	-796
Review of Pricing & Delivery of Learning Disability Services		2,800												2,800	2,800	0
Libraries Transformation Programme	381													381	315	-66
Single Handed Project (Home Care through Specialist Equipment & Training)		1,000												1,000	1,000	0
Canary Pilot (Monitoring systems for long term care packages)		400												400	436	36
	3,220	23,284	23	10,296	0	0	2,645	0	0	1,947	0	0	0	41,415	33,898	-7,517
<u>LGR Programme</u>																
PwC Aug 2018 Report:																
- FTE	6,600													6,600	6,600	0
- IT	0													0	0	0
- Property	800													800	800	0
- Democratic	500													500	500	0
	7,900	0	0	0	0	0	0	0	0	0	0	0	0	7,900	7,900	0
Total	11,120	47,743	23	16,396	0	0	2,705	0	0	4,947	3,000	0	0	85,934	78,417	-7,517

- Notes:
- LGR Programme savings as identified by PwC in their report dated August 2018 adjusted for IT savings which are included in the Shared Service Redesign and Consolidation (BRR20) and Property savings of £3m included in Customer and Digital Strategy (BRR18).
 - NCC Transformation benefits total £41.4m as per Cabinet report in January 2020
 - NCC Transformation benefits split between flexible Use of Capital Receipts (FUCR) and other benefits.
 - Further NCC Transformation benefits are anticipated when the Budget for 2020/21 is approved in February 2020.

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WEST NORTHAMPTONSHIRE JOINT COMMITTEE

3 February 2020

Report Title	Internal and external engagement strategies for Future Northants programme
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AGENDA STATUS: PUBLIC

1. Purpose

- 1.1 The purpose of this report is to present the internal and external engagement strategies for the Future Northants programme

2. Recommendations

It is recommended that the WNJC:

- note the internal engagement strategy and external engagement strategy for the Future Northants programme.

3. Issues and Choices

3.1 Report Background

3.1.1 These strategies are based on the design principles set out in the Prospectus for Change:

- “We will engage with communities and co-produce future designs” (West)
- “We will work with our partners to secure the best outcomes for our communities” (West)

3.1.2 A workshop was held in 2019 with leaders of the eight existing authorities to develop these principles and set programme engagement objectives which include ensuring that stakeholders are fully engaged with throughout the entirety of the programme.

3.1.3 While it is acknowledged that the programme will result in two unitary authorities with their own identities and priorities, these strategies represent a shared

desire to engage with stakeholders throughout the design, creation and stabilisation of the two new authorities.

3.2 Issues and Choices

3.2.1 This report and the strategies are for noting.

4. Implications (including financial implications)

4.1 Policy

4.1.1 These are high level strategies as each of the 13 portfolios, and the projects within those portfolios, will have their own detailed engagement strategies and plans which will identify all engagement opportunities and a suitable approach based on subject matter, defined stakeholders and appropriate methods. A toolkit is being developed to support Senior Responsible Officers and their portfolio teams in identifying these opportunities and defining the best engagement method for stakeholders to take part.

4.2 Resources and Risk

4.2.1 The strategies set out the existing engagement tools available to use and which will incur minimal costs. For example, for external engagement we will maximise use of existing community and partner forums and for internal engagement, we will use staff intranets and meetings, the trade union forum and councillor briefings and meetings.

4.2.2 NCC has an online consultation hub which offers the option to purchase a second site on behalf of the programme at a reduced cost of approximately £8,000. This site would be fully branded as Future Northants and would be heavily promoted through our suite of communications channels.

4.3 Legal

4.3.1 Where statutory consultation is required, the NCC consultation team will provide support to ensure all obligations are met.

4.4 Equality and Health

4.4.1 There are no equality or health implications in this report.

Report Author: Lou Spolton



Future Northants External Engagement Strategy

1. Purpose

This strategy is designed to set the overall principles for engagement and consultation with external stakeholders in the Future Northants programme. While it is acknowledged that the programme will result in two unitary authorities with their own identities and priorities, this strategy represents a shared desire to engage with stakeholders to ensure that the new local government landscape in Northamptonshire meets the needs of residents, service users and partners.

For the purposes of this strategy, staff, councillors and trade unions are considered internal stakeholders.

2. Context

The Government is proposing to create two new unitary councils in Northamptonshire to provide all local government services in the county. This would come into being on 1 April 2021 and Northamptonshire's current eight councils will cease to exist.

The new North Northamptonshire unitary authority will cover the areas of Corby Borough Council, East Northamptonshire Council, Kettering Borough Council and Borough of Wellingborough Council. A new unitary council for West Northamptonshire will cover the areas of Daventry District Council, Northampton Borough Council and South Northamptonshire Council. Services currently provided by Northamptonshire County Council and the districts and boroughs will be delivered by the two new councils.

The creation of North Northamptonshire Council and West Northamptonshire Council is an opportunity to develop and transform services so they deliver what residents and businesses need, are modern and provide good value for money. The ongoing process of engagement will play an important role in achieving this.

3. Principles

This strategy will be delivered by Northamptonshire's current local authorities, and will be used by the Shadow Authorities as the programme moves through the different phases until the proposed Go Live date for the two unitary authorities of 1 April 2021. The strategy will ensure that engagement activity is:

- accessible and inclusive
- genuine and honest
- appropriate for the purpose
- compliant with any statutory requirements

- efficient, using existing mechanisms and forums where possible
- used to inform the development of unitary authorities, and that how this happens is fed back to stakeholders.

The strategy covers the spectrum of consultation and engagement from specific and formal consultation to the broader and more varied types of engagement activity.

4. Objectives

The primary objective of this Strategy is to ensure that opportunities for engaging external stakeholders (partners, service users and the wider public) are used to support the development of the new unitary authorities.

Engagement and consultation can help develop more robust commissioning plans for the new unitary authorities by:

- Considering and involving different perspectives to gain a more comprehensive view of what is needed
- Helping to prioritise and plan better services through wider experiences
- Fostering innovation as ideas for better services can come from all areas of our community
- Raising awareness and creating wider understanding of the role of the new unitary authorities and the commissioning process.
- Informing people of how the change to unitary will, or will not, affect the services they receive

The Future Northants Programme has a number of phases, and the engagement strategy will evolve alongside the projects as they progress.

5. Resources

Each of the eight authorities undertakes consultation and engagement activity to some extent, although this is often done as part of another role, e.g. consulting on planning matters by Planning staff, engagement alongside communications activity by Communications staff. Only NCC has a Consultation Team consisting of 2.5 FTE. There are no dedicated consultation resources within the Future Northants Programme Team.

The majority of consultation and engagement activity will therefore need to be sought externally and will have cost implications. Each portfolio will need to scope out the level of consultation and engagement required for their projects to create a programme engagement plan which will then be costed.

Costs of practical tools e.g. consultation software personalised to the two unitary authorities, the hire of venues, provision of refreshments, reimbursements for participants will also need to be considered, although every effort will be made to use existing resources.

A toolkit to support consultation and engagement activity will be produced to accompany this strategy. Advice and guidance on statutory requirements can be provided from existing specialist resource, alongside the planning of engagement activity.

6. Governance

External consultation and engagement activity within each programme area will be planned and agreed by the Programme Manager and Communications Lead and signed off by the Senior Responsible Officer (SRO). Planned activity will be fed in to an overarching Consultation and Engagement Planner for the Programme, which will be managed and monitored by the Future Northants Communications and Engagement Lead.

7. Stakeholders

Everyone who lives and/or works in Northamptonshire has an interest in the creation of the two new unitary authorities.

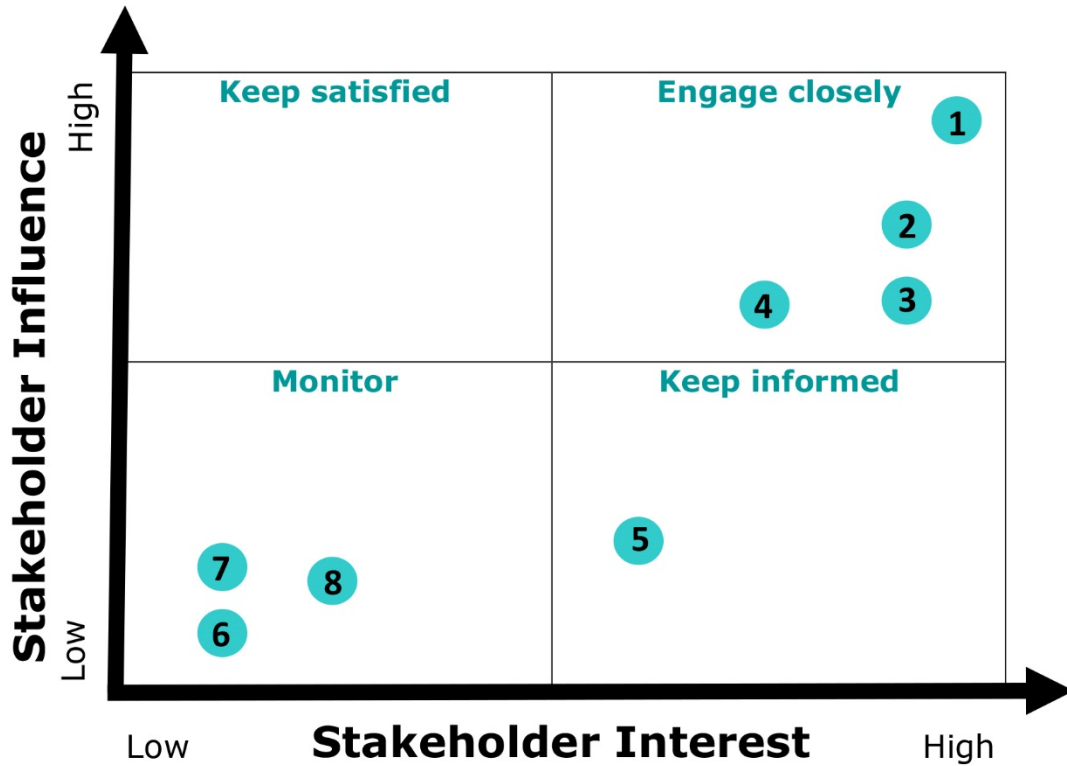
Common top-line external stakeholders across the Future Northants programme are:

1. **MPs, Whitehall and Westminster**
2. **Public service delivery partners** (NHS, Police and so on)
3. **Town and Parish Councils** (recognised separately from other partners, due to their strategic importance)
4. **The voluntary and community sector**
5. **General public** (of whom specific service users are an important subset)
6. **The business sector** (businesses, LEPs, local chambers of commerce, Federation of Small Businesses, BIDs, Oxford/Cambridge corridor organisations)
7. **Other partner organisations** (including neighbouring authorities).
8. **Suppliers & contractors**

The following matrix plots the above stakeholders (identifiable by list number) considering the following key factors:

- **Influence** – are they powerful or influential either directly in their decision making ability or in how loud, well-placed or authoritative their voice is?
- **Interest/informed** – how interested is that stakeholder at the moment in this process?

External stakeholders' matrix



Each programme will adopt a similar approach to identify and plot its own set of stakeholders with specific interest in the projects that are being developed and delivered in that area. This will be used to determine the level of engagement required with each audience.

8. Risks

The following risks should be considered as part of the consultation and engagement approach of the programme, and ultimately the two unitary authorities. These may also change over time and may need to be reviewed.

- Too much divergence in the approach to consultation and engagement leads to feelings of dissatisfaction and inequality between the stakeholders of the North and West authorities
- The scope of the programme and the scarcity of consultation and engagement resources amongst existing staff means that requirements around consultation and engagement are not met. Furthermore, that statutory consultation is not carried out which raises the risk of legal challenge

- The desire to adopt an individual consultation and engagement approach for each unitary authority could result in duplication and increased costs
- Consultation and engagement activities are viewed as tokenistic by stakeholders which in turn could lead to lack of engagement and dissatisfaction with the Future Northants programme.

9. Consultation and engagement channels

Full use will be made of existing channels available to the eight authorities, alongside others as required, depending on resource and cost.

Existing external engagement channels include:

- **Online consultations** (e.g. surveys via council websites, online consultation hubs)
- **Residents' Panels**
- **Focus groups**
- **Public meetings and drop-in events**
- **Town and parish council and community forums**
- **Informal online participation** (such as feedback and comments via existing social media channels)
- **All channels identified in the Communications Strategy** – engagement and communications complement each other closely and more informal engagement can dovetail with communications messages issued via channels ranging from social media and press updates to residents' magazines and community publications.

10. Review and evaluation

Future actions for implementing this strategy will include reviewing and evaluating the effectiveness of the councils' existing channels and resources for external engagement and exploring opportunities to share and improve these ahead of the new unitary authorities. Examples might include aggregating/disaggregating existing people's panels and focus groups to tailor them towards the two new unitary authorities, reviewing and consolidating online consultation software etc.

Engagement activity will be evaluated and reviewed on a rolling basis by each programme team to identify any opportunities for improvement.

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Future Northants Internal Engagement Strategy

1. Purpose

This strategy is designed to set the overall principles for engagement and consultation with internal stakeholders in the Future Northants programme. For the purposes of this strategy, internal stakeholders are members of staff, councillors and Trade Unions. While it is acknowledged that the programme will result in two unitary authorities with their own identities and priorities, this strategy represents a shared desire to engage with our internal stakeholders throughout the design, creation and stabilisation of the two new authorities.

2. Principles underpinning this strategy

This strategy is being delivered by Northamptonshire's current local authorities, and will be used by the Shadow Authorities as the programme moves through the different phases until the proposed Go Live date of 1 April 2021. The strategy will ensure that consultation and engagement activity is:

- accessible and inclusive
- genuine and honest
- appropriate for the purpose
- compliant with any statutory requirements
- efficient, using existing mechanisms and forums where possible
- used to inform the development of unitary authorities

The strategy covers the spectrum of consultation and engagement from specific and formal consultation to the broader and more varied types of engagement activity.

The Future Northants Programme has a number of phases, and the engagement strategy will evolve alongside the projects as they progress.

3. Context

The Government has proposed the creation of two new unitary councils in Northamptonshire to provide all local government services in the county. This would come into being on 1 April 2021 and Northamptonshire's current eight councils will cease to exist.

The new North Northamptonshire unitary authority will cover the areas of Corby Borough Council, East Northamptonshire Council, Kettering Borough Council and Borough of Wellingborough Council. A new unitary council for West Northamptonshire will cover the areas of Daventry District Council, Northampton Borough Council and South Northamptonshire Council. Services



currently provided by Northamptonshire County Council and the districts and boroughs will be delivered by the two new councils.

The creation of North Northamptonshire Council and West Northamptonshire Council is an opportunity to develop and transform services so they deliver what residents and businesses need, are modern and provide good value for money. Internal engagement is key to transforming services and maintaining support of the programme.

4. Objectives

The primary objective of this strategy is to ensure that opportunities for consultation and engagement with internal stakeholders are used to enable the effective development of the new unitary authorities. The Future Northants Programme has a number of phases, and this strategy will evolve alongside the projects. The strategy aims to:

- Drive engagement of staff, members and Trade Unions across all partner councils at all stages of establishing the unitary councils.
- Empower staff, members and Trade Unions to be part of the unitary journey to ensure they feel informed, engaged and positive, have the opportunity to feed back, and be involved in shaping the future of the two new organisations.
- Promote involvement and participation opportunities to ensure staff, members and Trade Unions are given the chance to have their say and their voices are heard.

The benefits of achieving these objectives include:

- different professional perspectives that provide a more comprehensive view of staff and resident needs
- better services through shared wider experiences and ideas from subject matter experts
- a wider understanding of the unitary model and the opportunities it can bring for professional development
- greater chance of staff retention through continual collaboration
- support for the programme and its ambitions
- well-informed and engaged staff and members who provide an effective ambassadorial role front-line when dealing with residents.

5. Target audiences

Everyone who works in the existing Northamptonshire authorities has an interest in the creation of the two new unitary authorities.



The use of a stakeholder matrix will help to identify who is a stakeholder for projects on an individual basis, and the toolkit will help to establish whether there is a need for formal consultation and whether more informal engagement would benefit the project.

The following list is by no means exhaustive or hierarchical and additional stakeholders may be identified as the programme progresses, particularly in terms of segmentation within the larger stakeholder groups:

- Staff
- Trade Union members
- District, borough and county council members

6. Channels

A range of channels across partner councils and the programme will be used to engage with the internal stakeholders throughout the programme:

- Intranets
- Internal newsletters
- Core brief/team briefs
- Email/ emailed bulletins (staff and members)
- Video
- Staff meetings
- Trade Union meetings
- Council meetings
- Programme engagement workshops – leaders
- Programme briefings for members
- Change Champions network

7. Resources

Staff

Change Managers focus on the people change required to successfully deliver the programme. Each portfolio is allocated a Change Manager in order to understand and tailor the approach to change, based on the requirements of the employees of each authority impacted by the portfolio.



Change Managers retain a helicopter view of their portfolio and drive employee engagement in order to share information and collect feedback to inform the programme approach and future communication required.

By driving active engagement with employees, their aim is to enable faster adoption, higher utilisation and proficiency to use the changes implemented.

One of the key resources supporting this activity is the change champion network. Led by change managers, change champions have volunteered to adopt the role in addition to their substantive post. Change Champions are advocates of the programme and support two way communication between the wider workforce and the programme. Via regular engagement with the change managers, change champions are provided with programme updates prior to wider dissemination and support their teams and colleagues to receive and understand the information we share. The network provides a vital 'temperature check' across the business about how our employees are feeling, any myths/rumours and insight into any potential gaps in communication.

Change Managers work intrinsically with their communication lead to review the stakeholder maps at each stage of the programme, ensure an appropriate approach/channels are used to deliver key messages and link comms leads to project managers for communication support as required.

A proportion of the Change Manager role provides coaching to all levels of managers and supervisors as they help their colleagues through change. This includes senior leaders and execs in helping them fulfil the role of change sponsor.

Trade Unions

Engagement and consultation with Trade Union members will be carried out as per the working group agreement [INSERT LINK TO FINAL DOCUMENT](#)

This document provides a transparent mechanism for the Future Northants team and the eight employers to meaningfully engage trade unions in the work the employers are undertaking in preparation for the two new authorities in Northamptonshire.

Members



Leaders of all eight authorities are primarily engaged with via the Leaders Oversight Board and programme workshops, which are hosted by programme officers.

All other members are engaged in the programme via their own council's respective Local Government reform committees/ working groups alongside the regular updates from the communication leads. Briefings for members of all Northamptonshire councils on progress with the programme will be held at appropriate times. These sessions will be opportunities to ask questions of the programme team and the Senior Responsible Officers.

8. Governance

Staff consultation and engagement activity within each programme area will be planned and agreed by the Change Manager and Communications Lead and signed off by the Senior Responsible Officer (SRO). Planned activity will be managed and monitored by the Change Managers and the Future Northants Communications and Engagement Lead.

Trade Union consultation and engagement will be governed as per the working group agreement with activity and results being fed back to the Comms and Engagement lead.

Engagement with members will be monitored by leaders and chief executives with feedback being provided via the Design Board and Leaders Oversight Board meetings.

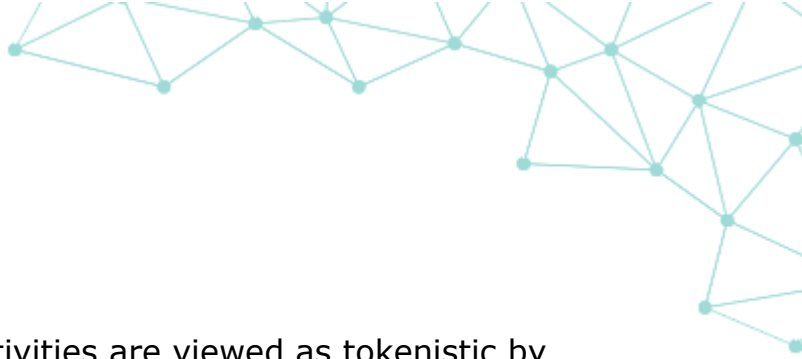
9. Risks

The following risks should be considered as part of the consultation and engagement approach of the programme, and ultimately the two unitary authorities. These may also change over time and may need to be reviewed.

- Too much divergence in the approach to consultation and engagement leads to feelings of dissatisfaction and inequality between the stakeholders of the North and West authorities
- The scope of the programme and the scarcity of consultation and engagement resources amongst existing staff means that requirements around consultation and engagement are not met. Furthermore, that statutory consultation is not carried out which raises the risk of legal challenge
- The desire to adopt an individual consultation and engagement approach for each unitary authority could result in duplication and increased costs



FUTURE NORTHANTS



- Consultation and engagement activities are viewed as tokenistic by stakeholders which in turn could lead to lack of engagement and dissatisfaction with the Future Northants programme.
- Inadequate staff engagement leading to difficulties with recruitment and retention, resulting in potential deterioration of services
- Inadequate engagement with members leading to lack of understanding or confusion about the work of the programme
- Significant and unexpected change in government or parliamentary process delays progress



WEST NORTHAMPTONSHIRE JOINT COMMITTEE

3 FEBRUARY 2020

Report Title	REPORT OF THE GOVERNANCE TASK & FINISH GROUP
---------------------	---

1. Purpose

- 1.1 This report follows a previous report of the Governance Task & Finish Group made to the 5th June 2019 meeting of the West Northamptonshire Joint Committee ('WNJC').
- 1.2 That report referred to the work which the Task and Finish Group had undertaken in relation to the draft Constitution for the Shadow Authority. At that meeting the WNJC made a number of resolutions including:
- a) The Governance Task and Finish Group were to meet again after the publication of the Structural Changes Order to make any necessary amendments to the draft constitution of the proposed West Northamptonshire Shadow Council; and
 - b) That it be noted that changes may be needed to the draft constitution arising from the Structural Changes Order once it has received parliamentary approval and further amendments will, if required, be brought back to the WNJC for approval.
- 1.3 This report is to update the WNJC on the further work carried out by the Governance Task & Finish Group at its meeting on 19th December 2019 in relation to the Constitution, recommend approval of the draft Code of Conduct for Members, set out the current timetable contained in the draft Structural Changes Order and recommend use of a system for recording member attendance at meetings of the Shadow Authority.

2. Recommendations

- 2.1 It is recommended that:
- a) The WNJC note the work undertaken by the Governance Task & Finish Group in relation to the draft Constitution, including the Code of Conduct for Members.

- b) The WNJC approve the draft Code of Conduct for Members attached at Appendix B for recommendation to the Shadow Council.
- c) The WNJC note the specific functions of the Joint Committee set out in the draft Structural Changes Order.
- d) The WNJC note the timetable set out in the draft Structural Changes Order for performing those functions.
- e) That the WNJC approve the use of a system of recording member attendance at meetings of the Shadow Authority, its Executive, Committees and Sub-committees and recommends this to the Shadow Authority.
- f) That the WNJC appoints a working group, composed of current members of the Governance Task and Finish Group, to consider the merits of appointing area committees and/or a youth council and to report to the WNJC of its findings and views.

3. Governance Task & Finish Group Conclusions

3.1

- a) The Working Group has further considered the draft constitution which had been presented to the WNJC meeting on 5 June 2019. In particular it considered the draft Code of Conduct which forms part of that draft constitution. Comments and suggested amendments were also received from Monitoring Officers of the constituent Councils for the West Northamptonshire area and in turn these were forwarded to and considered by the Working Group.
- b) At its meeting on 19 December 2019 the Working Group considered a report exhibiting a version of the draft Code of Conduct which incorporated those comments and suggested amendments. A copy of the Task and Finish Group report is attached as **Appendix A**. The Working Group reviewed the draft Code and considered each in turn. A copy of the draft Code incorporating the amendments agreed by the Working Group at its meeting on 19th December 2019 is attached at **Appendix B**.
- c) The draft Structural Changes Order expressly requires the WNJC to recommend a Code of Conduct to the Shadow Authority for it to adopt at its first meeting (see below).
- d) The Working Group is of the view that the attached version of the Code is suitable to be recommended to the Shadow Authority by WNJC in accordance with its obligation under the draft Structural Changes Order.

3.2 Recording of Attendance at Meetings

- a) At the meeting on 5 June members enquired as to whether an accessible record of member attendance would be produced to show which members had attended any particular meeting. At its meeting on 19 December the Working Group considered a report setting out the processes which are in use at Northampton Borough Council and other authorities for recording member

attendance at meetings of the authority, its Executive, Committees and Sub-committees. A copy of the report is attached at **Appendix C**.

- b) The Working Group were of the view that a similar system should be operated by the Shadow Authority so that the constituent authorities and the public can access member attendance at relevant meetings.

3.3 Functions of the Joint Committee and Timetable

- a) As members will be aware, the draft Northamptonshire (Structural Changes) Order was laid before Parliament on 24th October 2019 and requires approval of both Houses of Parliament before it becomes law. The process was interrupted by the suspension of Parliament due to the General Election in December and therefore it awaits Parliamentary approval.
- b) The draft Structural Changes Order sets out a number of functions which must be performed by the constituent authorities, WNJC and the Shadow Authority. **Appendix D** sets out those steps along with the timetable which currently applies to the draft Order.
- c) It is possible that as the draft Order continues through the Parliamentary process the functions and/or timetable will alter however, at present it is recommended that the WNJC notes the current content and has regard to this whilst performing its functions.
- d) In broad summary the functions of the WNJC are to:
 - i. form an implementation team;
 - ii. prepare, keep under review and revise an implementation plan;
 - iii. formulate a Code of Conduct for the Shadow Authority and present this to the first meeting of the Shadow Authority for it to consider and adopt.
- e) If, as a result of the parliamentary approval process, the functions or timetable change to a significant extent a further report will be made to members setting out the implications.

3.4 Area Committees and Youth Council

- a) At its meeting on 5 June the WNJC observed that there was further time for work to be done on the issues of whether the West Northamptonshire Council should establish area committees and/or establish a youth council.
- b) At its meeting on 19 December the Working Group considered a report on both these matters and discussed in outline the factors which may be relevant to the decisions on each matter. A copy of the report to the Working Group is attached at **Appendix E**.
- c) It was established that there are a number of considerations which will be relevant to these decisions and that additional work would be required to provide the WNJC with any meaningful material on which to decide whether any recommendation should be made to the Shadow Authority.

- d) The Working Group determined that this was beyond its current scope and that a further working group would be required to undertake this work in detail. The Working Group members did indicate at the meeting that they were prepared to undertake this additional task if required by the WNJC. Accordingly, it is recommended that WNJC establishes a working group, composed of members of the Governance Task and Finish Group, to consider this matter in more detail and report to them.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 None arising directly, as the material presented is in draft form.

4.2 Resources and Risk

- 4.2.1 Ongoing support of the Governance Task & Finish Group will be required once the expected SCO for Northamptonshire has been received.

4.3 Legal

- 4.3.1 The draft Structural Changes Order sets out clearly the functions of the WNJC and the Shadow Authority, along with a timescale for carrying out those obligations. Whilst it is possible that those functions and timescales will change when the draft receives parliamentary approval, the draft sets these out as clearly as is currently possible. The relevant specific functions are set out in the body of the report.

4.4 Equality and Health

- 4.4.1 There are no equality and health implications arising directly, as the material presented is in draft form.

4.5 Consultees (Internal and External)

- 4.5.1 Members of the Task & Finish Group, Chief Executives (and through them their nominees).

5. Background Papers

- 5.1 Reports to the Governance Task & Finish Group made on 19 December 2019.

Francis Fernandes
Borough Secretary and Monitoring Officer
Clive Tobin- Solicitor
Northampton Borough Council
Tel: 01604 837334

**WEST NORTHAMPTONSHIRE SHADOW COUNCIL
MEMBERS' CODE OF CONDUCT**

The Members' Code of Conduct is intended to promote high standards of behaviour amongst Councillors of the West Northamptonshire Shadow Council.

The Code is underpinned by the following seven Nolan principles of public life, which should be borne in mind when interpreting the meaning of the Code. Councillors should behave with:

- i. **Selflessness** – and act solely in terms of the public interest. They should not act in order to gain financial or other benefits for themselves, their family or their friends.
- ii. **Integrity** – and should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- iii. **Objectivity** – in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits; choices should be made on merit.
- iv. **Accountability** – and are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- v. **Openness** – and should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- vi. **Honesty** – and declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- vii. **Leadership** – and should promote and support these principles by leadership and example.

**PART 1
GENERAL PROVISIONS**

1. Introduction and Interpretation

- 1.1. This Code applies to all Councillors of West Northamptonshire Shadow Council.
- 1.2. The term “**the Council**” used in this Code refers to West Northamptonshire Shadow Council.
- 1.3. “**Councillor**” means any person being a Member of the West Northamptonshire Shadow Council.
- 1.4. It is **your** responsibility to comply with the provisions of this Code.
- 1.5. In this Code:

“Meeting” means any meeting of:

 - (a) the Council

- (b) the executive of the Council
- (c) any of the Council's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees
- (d) any of the Council's advisory groups and executive boards, working parties and panels

1.6. "Relevant Authority" includes a County Council, a District Council or Parish Council. (It has the meaning given to it by Section 27(6) of the Localism Act 2011.)

Comment [CT1]: This term does not appear elsewhere in the document so it can probably be omitted.

2. Scope

2.1. This Code applies to you whenever you are acting in the capacity as a Member of the Council, not only when attending meetings. For example, it will also include but is not limited to Members' dealings with officers, Members' dealings with the public, when Members represent the Council on outside bodies, any statements made by a Member on behalf of the Council.

Comment [CT2]: In light of the comments below re: 2.2 would it assist to expand this provision to make clear the Code does not apply only to meetings? If so we can try to add further examples of the situations which may be covered.

3. General Obligations

3.1. **You must treat others with respect.**

3.2. **You must not:**

- (a) do anything which may cause the Council to fall foul of UK equalities legislation
- (b) bully or intimidate any person or do anything which compromises the independence of those who work for the Council
- (c) intimidate or attempt to intimidate any person who is or may be:
 - (i) a complainant
 - (ii) a witness; or
 - (iii) involved in the administration of this Code
- (d) do anything which compromises or may compromise the impartiality of those who work for, or on behalf of, the Council
- (e) conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute

Comment [SB3]: So, in all other cases e.g. advice at planning committee or any other meeting, compromise is allowed!!? I suggest deleting the highlighted section.

Comment [s4R3]: Agreed

Comment [CT5]: Similarly, do we only want to prevent a compromise of impartiality at a time when there is an allegation of a breach of the Code.

4. **You must not:**

4.1. Pass on information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless:

- (a) you have the consent of a person authorised to give it

- (b) you are required by law to do so
 - (c) the disclosure is made to a third party for the purpose of obtaining professional advice, provided that they agree not to pass on the information to any other person; or
 - (d) the disclosure is:
 - (i) reasonable and in the public interest; and
 - (ii) made in good faith and in compliance with the reasonable requirements of the Council; or
- 4.2. Prevent another person from gaining access to information to which that person is entitled by law.

5. You must not:

- 5.1. Use or attempt to use your position as a Councillor improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage; and

6. You must:

- 6.1. When using, or authorising the use by others of, the resources of the Council:
 - (a) act in accordance with the Council's reasonable requirements
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- 6.2. Have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.

7.

- 7.1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by:
 - (a) the Council's Section 151 Officer; or
 - (b) the Council's Monitoring Officerwhere that officer is acting in that role.
- 7.2 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

PART 2

INTERESTS

8. Registration of Interests

8.1 Within 28 days of this Code being adopted by your Council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).

8.2 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer.

9. Disclosable Pecuniary Interests

Where a matter arises at a meeting in which you have an interest in Appendix A, you must declare the interest (unless it is sensitive), not participate, or participate further, in any discussion or vote further on the matter and must not remain in the room unless granted a dispensation.

Comment [CT6]: I agree with Simon's view that the precise wording should be followed, particularly given the potential for criminal liability under section 34.

10. Other registerable interests

Where a matter arises at a meeting in which you have an interest in Appendix B, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Comment [SB7]: Further to the above, this is OK in this interests category as it is not so caught by the Act. That said, I think the presence of councillors in the meeting with such interests will be perceived by the public as questionable – I expect a member of the public to say that the Member should not be treated the same as a member of the public as, if they have an interest stopping them voting, then their presence is still potentially impressionable/influential e.g. scenario of the Leader or Chief Whip being allowed to remain (and watch over their colleagues). Either they are in or they are out, would be normal expectation.

11. Non-registerable interests

11.1 Where a matter arises at a meeting which relates to your own financial interest (and is not a Disclosable Pecuniary Interest) or your own wellbeing or is otherwise to your advantage or relates to a financial interest or wellbeing or is otherwise to the advantage of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

11.2 a) Where a matter arises at a meeting which **affects** your own financial interest or a financial interest of a relative, friend, close associate or body covered by Appendix B you must disclose the interest;

and

b) where the matter referred to in paragraph 11.2a) affects the financial interest to a greater extent than if affects the financial interests of the majority of inhabitants of the [ward] affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Comment [s8R7]: I support the removal of the ability to speak, but would not go so far as to require removal from the chamber.

12. Sensitive Interests

Where you consider (and the Council's Monitoring Officer agrees) that the nature of a Disclosable Pecuniary Interest, or other interest is such that disclosure of the details of the interest could lead to you or a person connected with you being subject to intimidation or

violence, it is a “sensitive interest” for the purposes of the Code. The details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

13. **Single Member Action**

If you are empowered to discharge functions of the Council acting alone (for example, through being a Shadow Executive Committee Member), and:

- a) have and are aware that you have a Disclosable Pecuniary Interest in any matter to be dealt with by you in that role, you must not take any action, or further action, on the matter (except for the purposes of enabling the matter to be dealt with by other means);
- b) have and are aware that you have an interest in any matter dealt with by you in that role, which relates to an interest in Appendix B (‘Other Registerable Interest’), you must not take any action, or further action, on the matter (except for the purposes of enabling the matter to be dealt with by other means);
- c) the matter to be dealt with by you in that role relates to your own financial interest (and is not a Disclosable Pecuniary Interest) or your own wellbeing or is otherwise to your advantage or relates to a financial interest or wellbeing or is otherwise to the advantage of a relative, friend or close associate, you must not take any action or further action on the matter (except for the purposes of enabling the matter to be dealt with by other means) and you must notify the Monitoring Officer;
- d) the matter to be dealt with by you in that role **affects** your own financial interest or a financial interest of a relative, friend close associate or body covered by Appendix B, you must notify the Monitoring Officer before taking any action or further action, and if the Monitoring Officer determines that the matter affects the financial interest to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not take any action or further action.

APPENDIX A – DISCLOSABLE PECUNIARY INTERESTS

1. Breaches of the rules relating to Disclosable Pecuniary Interests may lead to criminal sanctions being imposed.
2. You have a Disclosable Pecuniary Interest if it is of a description specified in regulations made by the Secretary of State and either:
 - (a) it is an interest of yours, or
 - (b) it is an interest of:
 - (i) your spouse or civil partner
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if you were civil partners and you are aware that that other person has the interest.
3. Disclosable Pecuniary Interests are:

<u>INTEREST</u>	<u>DESCRIPTION</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on by you for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you (or a body in which you have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge)

	<p>(a) the landlord is the Council; and</p> <p>(b) the tenant is a body in which you have a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the Council; and</p> <p>(b) either</p> <p style="padding-left: 40px;">(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p style="padding-left: 40px;">(ii) where the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of a registered society within the meaning given by section 1(1) of the co-operative and community benefit Societies Act 2014, other than a society registered as a credit union.

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

APPENDIX B

1. Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Council;
2. Any body-
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management;

3. Any gifts or hospitality worth more than an estimated value of £10 which you have received by virtue of your office, or a series of gifts or hospitality, from the same source within any 12 month period which together are worth more than an estimated value of £10.

PART 3

RELATED DOCUMENTS

Arrangements for dealing with alleged breaches of the West Northamptonshire Shadow Council's Members' Code of Conduct.

West Northamptonshire Shadow Council

Arrangements for dealing with allegations of breaches of the West Northamptonshire Shadow Council Members' Code of Conduct

1. Context

These “Arrangements” set out how you may make a complaint that a Member of this Shadow Council has failed to comply with the Shadow Council’s Members’ Code of Conduct, and sets out how the Council will deal with it.

These Arrangements include the appointment of at least one Independent Person, whose views must be sought by the Council before it takes a decision on an allegation which it has decided warrants investigation, and whose views can be sought by the Council at any other stage, or by a Member against whom an allegation has been made.

2. The Code of Conduct

The Shadow Council has adopted a Code of Conduct for Members, which is attached as Appendix A to these arrangements and is available for inspection on request and is on the Shadow Council’s website.

3. Making a complaint

If you wish to make a complaint, please write to:

The Monitoring Officer
[XXXX]

or e-mail the Monitoring Officer at:

xxxx@xxxx

The Monitoring Officer is a senior officer of the Shadow Council who has statutory responsibility for maintaining the Register of Members’ Interests and who is responsible for administering the process in respect of complaints of alleged Member misconduct.

In order to ensure that we have all the information which we need to be able to process your complaint, please use the complaint form, which is available on request and can be downloaded from the Shadow Council’s website, next to the Code of Conduct.

You are required to provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form, in which case we will not disclose your name and address to the Member against whom you make the complaint, without your prior consent. The

Council does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint as soon as possible after receiving it and will keep you informed of the progress of your complaint.

4. Initial Assessment of Complaints Received

The Monitoring Officer will review all complaints received by the Council and must consult with the Independent Person (see section 13 below) at this stage. If a complaint has been made but does not fall within the scope or intent of these arrangements, the Monitoring Officer may still decide to take informal action in order to resolve the matter. In assessing the complaint the Monitoring Officer will determine whether the complaint is admissible and, if so, decide whether:

- a) it warrants investigation or,
- b) it may be suitable for alternative resolution without investigation or,
- c) it doesn't warrant any further action.

For the complaint to be admissible it must be in a legible format and relate to an existing Member of the Shadow Council.

In determining whether or not the complaint should be referred for investigation or to seek alternative resolution the Monitoring Officer and Independent Person will have regard to a range of factors including the following:-

- i) Whether there is sufficient information upon which to base a decision;
- ii) How serious is the alleged complaint;
- iii) Is the complaint politically motivated, vexatious or tit for tat;
- iv) Did the action complained about occur recently or not;
- v) Do the allegations relate to actions occurring whilst the Member was acting in their official capacity or do they relate to their private life;
- vi) Whether the matter is considered suitable for alternative resolution and whether either the Member concerned or the complainant is not prepared to accept this as a solution.

The initial assessment of the complaint will be held as soon as possible after receipt of your complaint and you will be informed, in writing, of the outcome by the Monitoring Officer. You will be informed on progress throughout the process.

Unless exceptional circumstances exist that indicate otherwise, the Monitoring Officer will inform the Member concerned of the receipt and nature of the complaint and invite their comments.

Where the Monitoring Officer requires additional information in order to come to a decision, they may come back to you for such information, and may request information from the Member against whom your complaint is directed.

Alternative Resolution

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. The Monitoring Officer must consult with the Independent Person about this course of action. Such informal resolution may involve the Member accepting that their conduct was unacceptable and offering an apology, or other remedial action by the Council. Where the Member or the Council makes a reasonable offer of informal resolution, but you are not willing to accept that offer, the Monitoring Officer (and Independent Person) will take account of this in deciding whether the complaint warrants a formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies.

5. If the Complaint is referred for Investigation how is the investigation conducted?

If the Monitoring Officer decides that a complaint merits formal investigation, they will appoint an Investigating Officer, who may be another senior officer of the Shadow Council, an officer of another Council or an external investigator. The Monitoring Officer will agree an investigation plan with the Investigating Officer. The Investigating Officer will decide whether they need to meet or speak to you to understand the nature of your complaint. If so, then you can explain your understanding of events and suggest what documents the Investigating Officer needs to see and who the Investigating Officer needs to interview. The Monitoring Officer will consult with the Independent Person about the need for a formal investigation.

The Investigating Officer would normally write to the Member against whom you have complained and provide them with a copy of your complaint. The Member would be asked to provide their explanation of events. The Investigating Officer will identify what documents they need to see and who they needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential, or disclosure of details of the complaint to the Member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the Member, or delay notifying the Member until the investigation has progressed sufficiently.

At the end of their investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the Member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires further consideration.

Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send it to the Monitoring Officer.

6. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the Member concerned, notifying you that no further action is required.

7. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and will then either send the matter for local hearing before

the Hearings Panel made up of Councillors from the Council's Standards Committee or seek an alternative resolution.

7.1 Local Resolution

The Monitoring Officer and Independent Person may consider that the matter can be resolved without the need for a hearing. Such resolution may include the Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Council. If the Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee for information, but will take no further action.

7.2 Local Hearing

If the Monitoring Officer and Independent Person consider that local resolution is not appropriate or it isn't possible to achieve, the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel which will conduct a local hearing to decide whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the Member.

In summary, the Monitoring Officer will conduct a "pre-hearing process", requiring the Member to give their response to the Investigating Officer's report. This is in order to identify what is likely to be agreed and what is likely to be contentious at the hearing. The Chair of the Hearings Panel may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present their report, call such witnesses as they consider necessary and make representations to substantiate their conclusion that the Member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Panel.

The Member will then have an opportunity to give their evidence, to call witnesses and to make representations to the Hearings Panel as to why they consider that they did not fail to comply with the Code of Conduct.

The Hearings Panel, with the benefit of any advice from the Independent Person, may conclude that the Member did not fail to comply with the Code of Conduct and so dismiss the complaint. Alternatively, if the Hearings Panel finds that the Member did fail to comply with the Code of Conduct, the Chair will inform the Member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the Member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the Member an opportunity to make representations to the Panel and will consult the Independent Person.

If the Member wishes to make representations to the Panel and/or consult with the Independent Person the Hearing will adjourn, normally for one week, and reconvene to hear any representation or statement from the Member before either confirming or amending their decision. If the Member does not wish to make representations to the Panel, or consult with the Independent Person, the decision of the Panel will stand as announced.

8. What action can the Hearings Panel take where a Member has failed to comply with the Code of Conduct?

The Hearings Panel may:

- 8.1 Publish its findings in respect of the Member's conduct;

- 8.2 Report its findings to the Council for information;
- 8.3 Recommend that Council remove the Member from any or all Committees or Sub-Committees of the Shadow Council for a specified period of time;
- 8.4 Recommend to the [Council that nominated the Member to the Shadow Executive Committee] [Leader of the Council] that the Member be removed from the Shadow Executive Committee, or recommend to the Leader of the Council that the Member be removed from particular portfolio responsibilities for a specified period of time;
- 8.5 Instruct the Monitoring Officer to arrange training for the Member;
- 8.6 Instruct the Monitoring Officer to mediate between the complainant and the Member;
- 8.7 Recommend to Full Council that the Member be removed from any or all outside appointments to which they have been appointed or nominated by the Council where the complaint relates to that appointment and for a specified period of time;
- 8.8 Recommend to Full Council the withdrawal of any facilities provided to the Member by the Council that may have been abused or improperly used; or
- 8.9 Recommend to Full Council the exclusion of the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- 8.10 Recommend that the member concerned makes a formal written or verbal or written and verbal apology to the Full Council.

There are no powers that allow Council or the Standards Committee to suspend or disqualify the Member or to withdraw Members' basic allowances. (Although, removing a Member from the Shadow Executive Committee or other Committee would lead to a loss of any Special Responsibility Allowance that position was entitled to for the period of the suspension.)

9. What happens at the end of the hearing?

At the end of the hearing, the Chair will state the decision of the Hearings Panel as to whether the Member failed to comply with the Code of Conduct and as to any actions which the Hearings Panel resolves to take.

As soon as reasonably practicable thereafter and subject to any adjournment as set out in 7.2 above, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Panel and send a copy to you and to the Member. The decision notice will be made available for public inspection after 20 working days have elapsed from the date the decision notice was issued (provided there has not been a request for a review under paragraph 10 of these Arrangements) and the decision reported to the next convenient meetings of the Standards Committee and of the Council.

10. Appeals and Reviews

There is no right of appeal for you as complainant or for the Member against a decision of the Monitoring Officer.

However, a review of the decision of the Hearings Panel may be sought by you or the Member concerned in the following circumstances:

- a) where you or the Member concerned consider that the Local Hearing was not conducted in accordance with the process set out in these Arrangements or the principles of natural justice (see paragraph 15 below); or
- b) where significant new evidence is available which has not been considered by the Hearings Panel.

Any such request for a review should be made to the Monitoring Officer in writing (by letter or e-mail) within 20 working days from the date the decision notice was issued to the parties and:

- if made pursuant to paragraph a) above, must set out specifically how it is considered the Local Hearing was not conducted in accordance with the process set out in these Arrangements or the principles of natural justice; or
- if made pursuant to paragraph b) above, must include copies of the new evidence or explain what the evidence is.

The Monitoring Officer may reject the request for a review if after consultation with the Independent Person they conclude that substantive reasons have not been provided to support the request or the further evidence provided is insufficient to support a request for a review. Simply expressing disagreement with the Hearings Panel's decision or repeating the original complaint will result in the request for review being rejected. If the request for review is rejected you and the Member will be advised in writing of the reasons for rejection.

If a request for a review is received (provided it is not rejected), the Monitoring Officer will notify the complainant and Member concerned and convene a meeting of the Review Panel.

The Review Panel will review the Hearings Panel's decision. The Review Panel will have the documentation considered by the Hearings Panel and the decision notice of the Hearings Panel before it. It will not conduct a re-hearing. It will only consider the request for the review, (including any new evidence presented with the request for review) together with the complainant or subject Member's response to the request for the review and response to any new evidence. The Review Panel will also have the discretion to re-hear any of the original evidence if it considers this necessary.

The Review Panel will either:

- confirm the original decision of the Hearings Panel; or
- disagree with the original decision of the Hearings Panel and substitute its own decision (which may only be a decision that was open to the Hearings Panel).

At the end of the review, the Chair of the Review Panel will explain the Review Panel's reasons for its decision. Within 5 working days of the decision of the Review Panel, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Review Panel and send a copy to you and to the Member. The decision notice will be made available for public inspection and will be reported to the next convenient meeting of the Standards Committee and the Council.

Unless in the opinion of the Monitoring Officer in consultation with the Independent Person exceptional circumstances exist, the Review Panel must make a decision within two calendar months of the receipt of the request for a review.

There is no right of appeal of the decision of the Review Panel which is final.

If you feel that the Council has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman or take your own legal advice as to options that might be open to you.

11. Who are the Hearings Panel?

The Hearings Panel is a panel of the Council's Standards Committee. It will comprise three Members of the Standards Committee.

The Independent Person is invited to attend all meetings of the Hearings Panel and their views are sought and taken into consideration before the Hearings Panel takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

12. Who are the Review Panel?

The Review Panel is a panel of the Council's Standards Committee. It will comprise three Members of the Standards Committee who did not sit on the Hearings Panel, have not previously been involved in the matter concerned and who do not otherwise have any conflict of interest.

The Independent Person is invited to attend all meetings of the Review Panel and their views are sought and taken into consideration before the Review Panel takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

13. Who is the Independent Person?

The Shadow Council has 2 Independent Persons.

A person cannot be "independent" if they:

- 13.1 are, or have been within the past five years, a Member, co-opted Member or officer of the Council or of a parish council within the Council's area; or
- 13.2 are a relative or close friend, of a person within paragraph 13.1. For this purpose, "relative" means:
 - (a) the other person's spouse or civil partner;
 - (b) living with the other person as husband and wife or as if they were civil partners;
 - (c) a grandparent of the other person;
 - (d) a lineal descendant of a grandparent of the other person;
 - (e) a parent, sibling or child of a person within paragraphs (a) or (b);

- (f) the spouse or civil partner of a person within paragraph (c), (d) or (e); or
- (g) living with a person within paragraph (c), (d) or (e) as husband and wife or as if they were civil partners.

14. Being accompanied at a Local Hearing or Review Panel meeting

Both you and the Member you complained about may choose to bring another person with you to the Local Hearing and any Review Panel meeting (if one takes place) to support you. It shall be a matter for the Chair of the Hearings Panel and the Chair of the Review Panel to issue directions as to the manner in which the supporting person may participate in the Local Hearing/Review Panel meeting, to ensure there is a balance between a party's need to be supported and the need for the Hearings Panel and/Review Panel to conduct its business fairly and efficiently.

15. Principles of Natural Justice

For the avoidance of doubt, it is expressly stated that the procedures in these Arrangements must be conducted in accordance with the principles of natural justice. In summary, in the context of these Arrangements, the principles of natural justice mean that each party has the right to a fair hearing, the right to make their case to an impartial person/group of people, and that the decision makers in this process act without bias or apparent bias, act impartially and do not create any procedural irregularities.

- 16.** Where it is necessary for any documentation to be sent to a member against whom an allegation of breach of the Code has been made, those documents may be sent by recorded delivery post to that members usual address and/or by e-mail to the e-mail address notified to the Council. Any documents sent by such a method are deemed to be served for the purpose of these arrangements.

17. Revision of these arrangements

The Council may by resolution agree to amend these arrangements and has delegated to the Chair of the Hearings Panel (and the Chair of the Review Panel in cases where there is a review), the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.

Appendix A The Shadow Council's Members' Code of Conduct



**WEST NORTHAMPTONSHIRE JOINT COMMITTEE (WNJC)
GOVERNANCE TASK AND FINISH GROUP**

19 DECEMBER 2019

Report Title	Draft Code of Conduct
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1. Purpose

1.1 The purpose of this report is to inform Members of the Governance Task and Finish Group of the work done in relation to the draft Code of Conduct for recommendation to the Shadow Authority.

2. Recommendations

2.1 It is recommended that the Governance Task and Finish Group notes the comments made in relation to the draft Code of Conduct and determines any further steps which it considers necessary to take to assist the West Northamptonshire Joint Committee (WNJC) in formulating the Code of Conduct to be proposed to the Shadow Authority.

3. Issues and Choices

3.1 Report Background

3.1.1 As Members will be aware the draft Northamptonshire (Structural Changes) Order 2019 requires the WNJC to take various steps including formulating proposals for a Code of Conduct and presenting those proposals at the first meeting of the Shadow Authority.

3.1.2 At its meeting on 5 June 2019 the Governance Task and Finish Group considered a report of the Governance Task and Finish Group in relation to the draft Constitution which included a Code of Conduct for Members. The draft Code was contained in the Appendices to the report of the Task and Finish Group.

3.1.3 At that meeting, in relation to the issue of Area Committees and a Youth Council, Councillor Matt Golby observed that the delay to vesting day allows further time

APPENDIX A

for work to be carried out. Similarly, that delay gives a further opportunity for the Task and Finish Group and/or the WNJC to carry out further work in relation to the draft Code and any other aspects of the draft Constitution.

- 3.1.4 Since that meeting officers from the County Council and the West Northamptonshire Councils have made several observations on the draft Code, a copy of which is attached as Appendix A. Further amendments have been suggested to the draft Code to reflect the comments made by officers, for the consideration of the Task and Finish Group.
- 3.1.5 Members may now wish to comment on those observations and the suggested amendments and determine any further amendments which they require or any further work which they consider necessary.
- 3.1.6 The Localism Act 2011 (the 2011 Act) requires a local authority to publicise the making of a Code of Conduct in a manner likely to bring it to the attention of persons who live in the authority's area. It may assist for the WNJC to advise the Shadow Authority of any steps which it believes would be suitable for that purpose.

3.2 Issues and Choices

- 3.2.1 The Governance Task and Finish Group is asked to consider the comments made by officers and determine any further steps which it wishes to take, or for officers to take on its behalf, to amend the draft Code.

4. Implications (including financial implications)

4.1 Legal

- 4.1.1 The draft Structural Changes Order requires the WNJC to formulate proposals for a Code of Conduct and present these to the first meeting of the Shadow Authority. When doing so the WNJC must have regard to the provisions of the 2011 Act which apply to Codes of Conduct. At that first meeting the Shadow Authority must adopt a Code of Conduct but, in doing so, it may amend or modify the WNJC's proposals to the extent it considers necessary to ensure it complies with the 2011 Act.
- 4.1.2 The first meeting of the Shadow Authority can not take place until after the elections in May 2020 and, based on the draft Order, must be held by 21 May 2020. This will allow the Task and Finish Group, WNJC or Officers to undertake further work on the draft Code, or any other aspects of the draft Constitution, during the interim period without compromising its duty to make the proposal to the Shadow Authority.
- 4.1.3 As indicated above the 2011 Act requires adoption of a Code to be publicised and, given the broad area covered by the authority, the input of the WNJC may assist the Shadow Authority in doing so to the required standard.

4.2 Policy

APPENDIX A

4.2.1 None.

4.3 Resources and Risk

4.3.1 None.

4.4 Equality and Health

4.4.1 None.

Appendices

A. Draft Code of Conduct for Members

Report Author: Clive Tobin
Licensing and Litigation Solicitor
Northampton Borough Council

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**WEST NORTHAMPTONSHIRE SHADOW COUNCIL
MEMBERS' CODE OF CONDUCT**

The Members' Code of Conduct is intended to promote high standards of behaviour amongst Councillors of the West Northamptonshire Shadow Council.

The Code is underpinned by the following seven Nolan principles of public life, which should be borne in mind when interpreting the meaning of the Code. Councillors should behave with:

- i. **Selflessness** – and act solely in terms of the public interest. They should not act in order to gain financial or other benefits for themselves, their family or their friends.
- ii. **Integrity** – and should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- iii. **Objectivity** – in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits; choices should be made on merit.
- iv. **Accountability** – and are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- v. **Openness** – and should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- vi. **Honesty** – and declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- vii. **Leadership** – and should promote and support these principles by leadership and example.

**PART 1
GENERAL PROVISIONS**

1. Introduction and Interpretation

- 1.1. This Code applies to all Councillors of West Northamptonshire Shadow Council.
- 1.2. The term “**the Council**” used in this Code refers to West Northamptonshire Shadow Council.
- 1.3. “**Councillor**” means any person being a Member of the West Northamptonshire Shadow Council.
- 1.4. It is **your** responsibility to comply with the provisions of this Code.
- 1.5. In this Code:
“**Meeting**” means any meeting of:
 - (a) the Council

- (b) the executive of the Council
- (c) any of the Council's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees
- (d) any of the Council's advisory groups and executive boards, working parties and panels

2. Scope

- 2.1. This Code applies to you whenever you are acting in the capacity as a Member of the Council, not only when attending meetings. For example, it will also include but is not limited to Members' dealings with officers, Members' dealings with the public, when Members represent the Council on outside bodies, any statements made by a Member on behalf of the Council.

3. General Obligations

3.1. You must treat others with respect.

3.2. You must not:

- (a) do anything which may cause the Council to fall foul of UK equalities legislation
- (b) bully or intimidate any person or do anything which compromises the independence of those who work for the Council
- (c) intimidate or attempt to intimidate any person who is or may be:
 - (i) a complainant
 - (ii) a witness; or
 - (iii) involved in the administration of this Code
- (d) do anything which compromises or may compromise the impartiality of those who work for, or on behalf of, the Council
- (e) conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute

4. You must not:

- 4.1. Pass on information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless:
- (a) you have the consent of a person authorised to give it
 - (b) you are required by law to do so

- (c) the disclosure is made to a third party for the purpose of obtaining professional advice, provided that they agree not to pass on the information to any other person; or
 - (d) the disclosure is:
 - (i) reasonable and in the public interest; and
 - (ii) made in good faith and in compliance with the reasonable requirements of the Council; or
- 4.2. Prevent another person from gaining access to information to which that person is entitled by law.

5. You must not:

- 5.1. Use or attempt to use your position as a Councillor improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage; and

6. You must:

- 6.1. When using, or authorising the use by others of, the resources of the Council:
 - (a) act in accordance with the Council's reasonable requirements
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- 6.2. Have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.

7.

- 7.1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by:
 - (a) the Council's Section 151 Officer; or
 - (b) the Council's Monitoring Officerwhere that officer is acting in that role.
- 7.2 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

PART 2

INTERESTS

8. Registration of Interests

- 8.1 Within 28 days of this Code being adopted by your Council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).
- 8.2 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer.

9. Disclosable Pecuniary Interests

Where a matter arises at a meeting in which you have an interest in Appendix A, you must declare the interest (unless it is sensitive), not participate, or participate further, in any discussion or vote further on the matter and must not remain in the room unless granted a dispensation.

10. Other registerable interests

Where a matter arises at a meeting in which you have an interest in Appendix B, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

11. Non-registerable interests

- 11.1 Where a matter arises at a meeting which relates to your own financial interest (and is not a Disclosable Pecuniary Interest) or your own wellbeing or is otherwise to your advantage or relates to a financial interest or wellbeing or is otherwise to the advantage of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.
- 11.2 a) Where a matter arises at a meeting which **affects** your own financial interest or a financial interest of a relative, friend, close associate or body covered by Appendix B you must disclose the interest;
- and
- b) where the matter referred to in paragraph 11.2a) affects the financial interest to a greater extent than if affects the financial interests of the majority of inhabitants of the [ward] affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

12. Sensitive Interests

Where you consider (and the Council's Monitoring Officer agrees) that the nature of a Disclosable Pecuniary Interest, or other interest is such that disclosure of the details of the interest could lead to you or a person connected with you being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code. The details of the

sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

13. **Single Member Action**

If you are empowered to discharge functions of the Council acting alone (for example, through being a Shadow Executive Committee Member), and:

- a) have and are aware that you have a Disclosable Pecuniary Interest in any matter to be dealt with by you in that role, you must not take any action, or further action, on the matter (except for the purposes of enabling the matter to be dealt with by other means);
- b) have and are aware that you have an interest in any matter dealt with by you in that role, which relates to an interest in Appendix B ('Other Registerable Interest'), you must not take any action, or further action, on the matter (except for the purposes of enabling the matter to be dealt with by other means);
- c) the matter to be dealt with by you in that role relates to your own financial interest (and is not a Disclosable Pecuniary Interest) or your own wellbeing or is otherwise to your advantage or relates to a financial interest or wellbeing or is otherwise to the advantage of a relative, friend or close associate, you must not take any action or further action on the matter (except for the purposes of enabling the matter to be dealt with by other means) and you must notify the Monitoring Officer;
- d) the matter to be dealt with by you in that role **affects** your own financial interest or a financial interest of a relative, friend close associate or body covered by Appendix B, you must notify the Monitoring Officer before taking any action or further action, and if the Monitoring Officer determines that the matter affects the financial interest to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not take any action or further action.

APPENDIX A – DISCLOSABLE PECUNIARY INTERESTS

1. Breaches of the rules relating to Disclosable Pecuniary Interests may lead to criminal sanctions being imposed.
2. You have a Disclosable Pecuniary Interest if it is of a description specified in regulations made by the Secretary of State and either:
 - (a) it is an interest of yours, or
 - (b) it is an interest of:
 - (i) your spouse or civil partner
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if you were civil partners and you are aware that that other person has the interest.
3. Disclosable Pecuniary Interests are:

<u>INTEREST</u>	<u>DESCRIPTION</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on by you for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you (or a body in which you have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) (a) the landlord is the Council; and

	(b) the tenant is a body in which you have a beneficial interest.
Securities	Any beneficial interest in securities of a body where: <ul style="list-style-type: none"> (a) that body (to your knowledge) has a place of business or land in the area of the Council; and (b) either <ul style="list-style-type: none"> (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) where the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of a registered society within the meaning given by section 1(1) of the co-operative and community benefit Societies Act 2014, other than a society registered as a credit union.

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

APPENDIX B

1. Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Council;
2. Any body-
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management;

3. Any gifts or hospitality worth more than an estimated value of £10 which you have received by virtue of your office, or a series of gifts or hospitality, from the same source within any 12 month period which together are worth more than an estimated value of £10.

PART 3

RELATED DOCUMENTS

Arrangements for dealing with alleged breaches of the West Northamptonshire Shadow Council's Members' Code of Conduct.

West Northamptonshire Shadow Council

Arrangements for dealing with allegations of breaches of the West Northamptonshire Shadow Council Members' Code of Conduct

1. Context

These “Arrangements” set out how you may make a complaint that a Member of this Shadow Council has failed to comply with the Shadow Council’s Members’ Code of Conduct, and sets out how the Council will deal with it.

These Arrangements include the appointment of at least one Independent Person, whose views must be sought by the Council before it takes a decision on an allegation which it has decided warrants investigation, and whose views can be sought by the Council at any other stage, or by a Member against whom an allegation has been made.

2. The Code of Conduct

The Shadow Council has adopted a Code of Conduct for Members, which is attached as Appendix A to these arrangements and is available for inspection on request and is on the Shadow Council’s website.

3. Making a complaint

If you wish to make a complaint, please write to:

The Monitoring Officer
[XXXX]

or e-mail the Monitoring Officer at:

xxxx@xxxx

The Monitoring Officer is a senior officer of the Shadow Council who has statutory responsibility for maintaining the Register of Members’ Interests and who is responsible for administering the process in respect of complaints of alleged Member misconduct.

In order to ensure that we have all the information which we need to be able to process your complaint, please use the complaint form, which is available on request and can be downloaded from the Shadow Council’s website, next to the Code of Conduct.

You are required to provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form, in which case we will not disclose your name and address to the Member against whom you make the complaint, without your prior consent. The Council does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint as soon as possible after receiving it and will keep you informed of the progress of your complaint.

4. Initial Assessment of Complaints Received

The Monitoring Officer will review all complaints received by the Council and must consult with the Independent Person (see section 13 below) at this stage. If a complaint has been made but does not fall within the scope or intent of these arrangements, the Monitoring Officer may still decide to take informal action in order to resolve the matter. In assessing the complaint the Monitoring Officer will determine whether the complaint is admissible and, if so, decide whether:

- a) it warrants investigation or,
- b) it may be suitable for alternative resolution without investigation or,
- c) it doesn't warrant any further action.

For the complaint to be admissible it must be in a legible format and relate to an existing Member of the Shadow Council.

In determining whether or not the complaint should be referred for investigation or to seek alternative resolution the Monitoring Officer and Independent Person will have regard to a range of factors including the following:-

- i) Whether there is sufficient information upon which to base a decision;
- ii) How serious is the alleged complaint;
- iii) Is the complaint politically motivated, vexatious or tit for tat;
- iv) Did the action complained about occur recently or not;
- v) Do the allegations relate to actions occurring whilst the Member was acting in their official capacity or do they relate to their private life;
- vi) Whether the matter is considered suitable for alternative resolution and whether either the Member concerned or the complainant is not prepared to accept this as a solution.

The initial assessment of the complaint will be held as soon as possible after receipt of your complaint and you will be informed, in writing, of the outcome by the Monitoring Officer. You will be informed on progress throughout the process.

Unless exceptional circumstances exist that indicate otherwise, the Monitoring Officer will inform the Member concerned of the receipt and nature of the complaint and invite their comments.

Where the Monitoring Officer requires additional information in order to come to a decision, they may come back to you for such information, and may request information from the Member against whom your complaint is directed.

Alternative Resolution

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. The Monitoring Officer must consult with the Independent Person about this course of action. Such informal resolution may involve the Member accepting that their conduct was unacceptable and offering an apology, or other remedial action by the Council. Where the Member or the Council makes a reasonable offer of informal resolution, but you are not willing to accept that offer, the Monitoring Officer (and Independent Person) will take account of this in deciding whether the complaint warrants a formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies.

5. If the Complaint is referred for Investigation how is the investigation conducted?

If the Monitoring Officer decides that a complaint merits formal investigation, they will appoint an Investigating Officer, who may be another senior officer of the Shadow Council, an officer of another Council or an external investigator. The Monitoring Officer will agree an investigation plan with the Investigating Officer. The Investigating Officer will decide whether they need to meet or speak to you to understand the nature of your complaint. If so, then you can explain your understanding of events and suggest what documents the Investigating Officer needs to see and who the Investigating Officer needs to interview. The Monitoring Officer will consult with the Independent Person about the need for a formal investigation.

The Investigating Officer would normally write to the Member against whom you have complained and provide them with a copy of your complaint. The Member would be asked to provide their explanation of events. The Investigating Officer will identify what documents they need to see and who they needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential, or disclosure of details of the complaint to the Member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the Member, or delay notifying the Member until the investigation has progressed sufficiently.

At the end of their investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the Member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires further consideration.

Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send it to the Monitoring Officer.

6. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the Member concerned, notifying you that no further action is required.

7. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will, in consultation with the Independent Person, review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel made up of Councillors from the Council's Standards Committee or seek an alternative resolution.

7.1 Local Resolution

The Monitoring Officer and Independent Person may consider that the matter can be resolved without the need for a hearing. Such resolution may include the Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Council. If the Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee for information, but will take no further action.

7.2 Local Hearing

If the Monitoring Officer and Independent Person consider that local resolution is not appropriate or it isn't possible to achieve, the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel which will conduct a local hearing to decide whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the Member.

In summary, the Monitoring Officer will conduct a "pre-hearing process", requiring the Member to give their response to the Investigating Officer's report. This is in order to identify what is likely to be agreed and what is likely to be contentious at the hearing. The Chair of the Hearings Panel may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present their report, call such witnesses as they consider necessary and make representations to substantiate their conclusion that the Member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Panel.

The Member will then have an opportunity to give their evidence, to call witnesses and to make representations to the Hearings Panel as to why they consider that they did not fail to comply with the Code of Conduct.

The Hearings Panel, with the benefit of any advice from the Independent Person, may conclude that the Member did not fail to comply with the Code of Conduct and so dismiss the complaint. Alternatively, if the Hearings Panel finds that the Member did fail to comply with the Code of Conduct, the Chair will inform the Member of this finding and the Hearings Panel will then consider what action, if any, the Hearings Panel should take as a result of the Member's failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the Member an opportunity to make representations to the Panel and will consult the Independent Person.

If the Member wishes to make representations to the Panel and/or consult with the Independent Person the Hearing will adjourn, normally for one week, and reconvene to hear any representation or statement from the Member before either confirming or amending their decision. If the Member does not wish to make representations to the Panel, or consult with the Independent Person, the decision of the Panel will stand as announced.

8. What action can the Hearings Panel take where a Member has failed to comply with the Code of Conduct?

The Hearings Panel may:

- 8.1 Publish its findings in respect of the Member's conduct;
- 8.2 Report its findings to the Council for information;

- 8.3 Recommend that Council remove the Member from any or all Committees or Sub-Committees of the Shadow Council for a specified period of time;
- 8.4 Recommend to the [Council that nominated the Member to the Shadow Executive Committee] [Leader of the Council] that the Member be removed from the Shadow Executive Committee, or recommend to the Leader of the Council that the Member be removed from particular portfolio responsibilities for a specified period of time;
- 8.5 Instruct the Monitoring Officer to arrange training for the Member;
- 8.6 Instruct the Monitoring Officer to mediate between the complainant and the Member;
- 8.7 Recommend to Full Council that the Member be removed from any or all outside appointments to which they have been appointed or nominated by the Council where the complaint relates to that appointment and for a specified period of time;
- 8.8 Recommend to Full Council the withdrawal of any facilities provided to the Member by the Council that may have been abused or improperly used; or
- 8.9 Recommend to Full Council the exclusion of the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- 8.10 Recommend that the member concerned makes a formal written or verbal or written and verbal apology to the Full Council.

There are no powers that allow Council or the Standards Committee to suspend or disqualify the Member or to withdraw Members' basic allowances. (Although, removing a Member from the Shadow Executive Committee or other Committee would lead to a loss of any Special Responsibility Allowance that position was entitled to for the period of the suspension.)

9. What happens at the end of the hearing?

At the end of the hearing, the Chair will state the decision of the Hearings Panel as to whether the Member failed to comply with the Code of Conduct and as to any actions which the Hearings Panel resolves to take.

As soon as reasonably practicable thereafter and subject to any adjournment as set out in 7.2 above, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Panel and send a copy to you and to the Member. The decision notice will be made available for public inspection after 20 working days have elapsed from the date the decision notice was issued (provided there has not been a request for a review under paragraph 10 of these Arrangements) and the decision reported to the next convenient meetings of the Standards Committee and of the Council.

10. Appeals and Reviews

There is no right of appeal for you as complainant or for the Member against a decision of the Monitoring Officer.

However, a review of the decision of the Hearings Panel may be sought by you or the Member concerned in the following circumstances:

- a) where you or the Member concerned consider that the Local Hearing was not conducted in accordance with the process set out in these Arrangements or the principles of natural justice (see paragraph 15 below); or
- b) where significant new evidence is available which has not been considered by the Hearings Panel.

Any such request for a review should be made to the Monitoring Officer in writing (by letter or e-mail) within 20 working days from the date the decision notice was issued to the parties and:

- if made pursuant to paragraph a) above, must set out specifically how it is considered the Local Hearing was not conducted in accordance with the process set out in these Arrangements or the principles of natural justice; or
- if made pursuant to paragraph b) above, must include copies of the new evidence or explain what the evidence is.

The Monitoring Officer may reject the request for a review if after consultation with the Independent Person they conclude that substantive reasons have not been provided to support the request or the further evidence provided is insufficient to support a request for a review. Simply expressing disagreement with the Hearings Panel's decision or repeating the original complaint will result in the request for review being rejected. If the request for review is rejected you and the Member will be advised in writing of the reasons for rejection.

If a request for a review is received (provided it is not rejected), the Monitoring Officer will notify the complainant and Member concerned and convene a meeting of the Review Panel.

The Review Panel will review the Hearings Panel's decision. The Review Panel will have the documentation considered by the Hearings Panel and the decision notice of the Hearings Panel before it. It will not conduct a re-hearing. It will only consider the request for the review, (including any new evidence presented with the request for review) together with the complainant or subject Member's response to the request for the review and response to any new evidence. The Review Panel will also have the discretion to re-hear any of the original evidence if it considers this necessary.

The Review Panel will either:

- confirm the original decision of the Hearings Panel; or
- disagree with the original decision of the Hearings Panel and substitute its own decision (which may only be a decision that was open to the Hearings Panel).

At the end of the review, the Chair of the Review Panel will explain the Review Panel's reasons for its decision. Within 5 working days of the decision of the Review Panel, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Review Panel and send a copy to you and to the Member. The decision notice will be made available for public inspection and will be reported to the next convenient meeting of the Standards Committee and the Council.

Unless in the opinion of the Monitoring Officer in consultation with the Independent Person exceptional circumstances exist, the Review Panel must make a decision within two calendar months of the receipt of the request for a review.

There is no right of appeal of the decision of the Review Panel which is final.

If you feel that the Council has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman or take your own legal advice as to options that might be open to you.

11. Who are the Hearings Panel?

The Hearings Panel is a panel of the Council's Standards Committee. It will comprise three Members of the Standards Committee.

The Independent Person is invited to attend all meetings of the Hearings Panel and their views are sought and taken into consideration before the Hearings Panel takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

12. Who are the Review Panel?

The Review Panel is a panel of the Council's Standards Committee. It will comprise three Members of the Standards Committee who did not sit on the Hearings Panel, have not previously been involved in the matter concerned and who do not otherwise have any conflict of interest.

The Independent Person is invited to attend all meetings of the Review Panel and their views are sought and taken into consideration before the Review Panel takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

13. Who is the Independent Person?

The Shadow Council has 2 Independent Persons.

A person cannot be "independent" if they:

- 13.1 are, or have been within the past five years, a Member, co-opted Member or officer of the Council or of a parish council within the Council's area; or
- 13.2 are a relative or close friend, of a person within paragraph 13.1. For this purpose, "relative" means:
 - (a) the other person's spouse or civil partner;
 - (b) living with the other person as husband and wife or as if they were civil partners;
 - (c) a grandparent of the other person;
 - (d) a lineal descendant of a grandparent of the other person;
 - (e) a parent, sibling or child of a person within paragraphs (a) or (b);
 - (f) the spouse or civil partner of a person within paragraph (c), (d) or (e); or

- (g) living with a person within paragraph (c), (d) or (e) as husband and wife or as if they were civil partners.

14. Being accompanied at a Local Hearing or Review Panel meeting

Both you and the Member you complained about may choose to bring another person with you to the Local Hearing and any Review Panel meeting (if one takes place) to support you. It shall be a matter for the Chair of the Hearings Panel and the Chair of the Review Panel to issue directions as to the manner in which the supporting person may participate in the Local Hearing/Review Panel meeting, to ensure there is a balance between a party's need to be supported and the need for the Hearings Panel and/Review Panel to conduct its business fairly and efficiently.

15. Principles of Natural Justice

For the avoidance of doubt, it is expressly stated that the procedures in these Arrangements must be conducted in accordance with the principles of natural justice. In summary, in the context of these Arrangements, the principles of natural justice mean that each party has the right to a fair hearing, the right to make their case to an impartial person/group of people, and that the decision makers in this process act without bias or apparent bias, act impartially and do not create any procedural irregularities.

16. Service

Where it is necessary for any documentation to be sent to a member against whom an allegation of breach of the Code has been made, those documents may be sent by recorded delivery post to that members usual address and/or by e-mail to the e-mail address notified to the Council. Any documents sent by such a method are deemed to be served for the purpose of these arrangements.

17. Revision of these arrangements

The Council may by resolution agree to amend these arrangements and has delegated to the Chair of the Hearings Panel (and the Chair of the Review Panel in cases where there is a review), the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.



WEST NORTHAMPTONSHIRE JOINT COMMITTEE (WNJC)

GOVERNANCE TASK AND FINISH GROUP

19 DECEMBER 2019

Report Title	Record of Member Attendance at Meetings
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1. Purpose

- 1.1 The purpose of this report is to inform Members of the Governance Task and Finish Group of the process of recording Member attendance at Committee meetings.

2. Recommendations

- 2.1 It is recommended that the Governance Task and Finish Group notes the information provided and recommends to the West Northants Joint Committee (WNJC) how it proposes Member attendance should be recorded.

3. Issues and Choices

3.1 Report Background

- 3.1.1 At the meeting of the WNJC held on 14 June 2019, the Committee considered the report of the Chair of the Governance Task and Finish Group.
- 3.1.2 It is detailed in the minutes of that meeting "*Councillor Martin Johns commented on the importance for transparency in ensuring that attendance records were made publicly available as soon as practicable*". Therefore, in response, this report has been compiled.
- 3.1.3 At Northampton Borough Council, details of Councillors' attendance and absences are recorded on the Council's electronic committee management information system Modern.gov. The Democratic Services Officer enters the attendance details when typing up the draft minutes and the information typed

in is linked to each Councillor’s profile. The way the attendance details appear on the Council’s website is shown using a fictional example below:

Attendance statistics for Councillor Example		
Statistic	Count	Percentage
Total expected attendances:	15	
Present as expected:	12	80%
Apologies received:	3	100% of absences
Absent (incl. apologies):	3	20%

Explanation of the statistics counts

Total expected attendances

The number of meetings that the councillor was expected to attend in their capacity as member of that committee. This only includes meetings for which the councillor’s actual attendance status is known.

Present as expected

The number of meetings that the councillor attended in their capacity as member of that committee.

Absent (incl. apologies)

Meetings not attended, where the councillor is a member of the committee, including apologies submitted.

Other meeting statistics options

- o [View statistics for each committee attended](#)

Meeting summary for Councillor Example		
Date	Committee Meeting	Attendance
04/03/2015	Council ,04/03/2015	Present
15/04/2015	Council ,15/04/2015	Present
22/05/2015	Council ,22/05/2015	Present
22/05/2015	Council ,22/05/2015	Present
26/05/2015	Council ,26/05/2015	Present
06/06/2015	Committee Meeting name, 06/06/2015	Present
16/06/2015	Committee Meeting name ,15/06/2015	Present
18/06/2015	Committee Meeting name,18/06/2015	Present
30/06/2015	Committee Meeting name,30/06/2015	Apologies received
08/07/2015	Committee Meeting name ,08/07/2015	Present
15/07/2015	Council ,15/07/2015	Present
15/07/2015	Council ,15/07/2015	Present
27/07/2015	Committee Meeting name,27/07/2015	Present
17/08/2015	Committee Meeting name,17/08/2015	Apologies received
24/08/2015	Committee meeting name ,24/08/2015	Apologies received

3.1.4 The information makes it clear in the explanatory notes that the percentage of absences includes instances where the Councillor sent apologies or is absent (no apologies sent).

3.1.5 An electronic Committee meeting management system will be in place for the West Northants Shadow Authority.

3.2 Issues and Choices

- 3.2.1 The Governance Task and Finish Group is asked to consider the facility of a Committee meeting management system recording Member attendance and report its recommendation to a future meeting of the WNJC.

4. Implications (including financial implications)

4.1 Legal

- 4.1.1 Section 85 of the Local Government Act 1972 states that “if a member fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.” It is important to have a system of recording Members’ attendance at meetings in place to flag up to the Democratic Services Manager when a Member is nearing a period of six months without attending a meeting.

4.2 Policy

- 4.2.1 None.

4.3 Resources and Risk

- 4.3.1 None.

4.4 Equality and Health

- 4.4.1 None.

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Structural Changes Order - Time line

Date	Event	Article No
w/i 14 days of SI in force	NCC & West Councils must establish <i>Joint Committee</i>	23(1)(b)
w/i 21 days of SI in force	<i>Joint Committee</i> must form Implementation Team comprising officers of West Councils to assist it and, if required, Shadow Authority	26
	<i>Joint Committee</i> must prepare, keep under review and revise as necessary, an implementation plan.	24(1)
As above	<i>Joint Committee</i> must formulate proposals for Code of Conduct	25(2)
31.03.20	Date on which West Northamptonshire deemed as divided into wards for purpose of new authority	20(3)
07.05.20	Shadow Authority Elections	20(1)(a)
11.05.20	Shadow Period begins	2,
21.05.20	Latest date for Shadow Authority to hold first meeting	20(11)
21.05.20	Shadow Authority must create Leader & Cabinet Executive Executive has 'usual functions' unless otherwise provided	7(1) 18(1)
21.05.20	<i>Joint Committee</i> must present proposals for Code of Conduct at first meeting of Shadow Authority	25(2)
21.05.20	Shadow Authority must adopt Code of Conduct	8(1)
21.05.20	Shadow Authority must designate CC/DC officers as interim MO, HoPS & CFO	9(2)
22.05.20	<i>Joint Committee</i> Dissolved	23(10)
--.--.20	Shadow Authority must formulate & adopt scheme of members' allowances	10(1)(2)
30.09.20	Last date on which casual vacancy arising may be filled by election under s89 LG Act 1972 unless > 1/3 vacant & > 35 days before 01.04.21	19(2), (3)
31.12.20	Last date for Shadow Authority to appoint MO, CFO & HOPS (Interim designations end on appointment)	9(3) 9(4)
31.03.21	Shadow Period ends	2,
01.04.21	Shadow Authorities become local authorities	2, 4(3)

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01.04.21	Existing 'West Councils' wound up & dissolved	4(4)
	NCC wound up & dissolved	5(1)
	Term of office of members of 'West Councils' ends	19(1)(b)
--.05.25	West Northamptonshire Elections & every fourth year thereafter	20(1)(b)



WEST NORTHAMPTONSHIRE JOINT COMMITTEE (WNJC)

GOVERNANCE TASK AND FINISH GROUP

19 DECEMBER 2019

Report Title	Structural Changes Order & Actions Timetable
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1. Purpose

- 1.1 The purpose of this report is to inform Members of the Governance Task and Finish Group of the draft timetable for actions set out in the draft Structural Changes Order which has been laid before Parliament.

2. Recommendations

- 2.1 It is recommended that the Governance Task and Finish Group notes the information provided, in particular the steps which the West Northamptonshire Joint Committee (WNJC) is required to take, and the dates by which it must do so, along with the documents which it must have regard to when performing its functions.

3. Issues and Choices

3.1 Report Background

- 3.1.1 As Members will be aware, on 24th October 2019 the draft Northamptonshire (Structural Changes) Order 2019 was laid before both Houses of Parliament. That draft Order is currently passing through the Parliamentary process and must be approved by both Houses of Parliament before it becomes law.
- 3.1.2 The draft Order sets out various steps to be taken by the existing local authorities in Northamptonshire, including the joint committees appointed for the North and West Areas, the Shadow Authority once elected, and the new authorities following vesting day. Certain of those steps must be carried out by reference to dates or periods of time set out in the draft Order.
- 3.1.3 As a result of the Parliamentary process it is possible that the Draft Order will be amended, in particular it is possible that the time table for some of those steps

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may be varied. Appendix A contains a timetable based on the draft Order which sets out the steps which need to be taken by each body, including WNJC, along with any dates by which those steps must be taken. Where the Order requires a step to be taken within a specified period the timetable states the *latest date on which this step could be taken*.

3.1.4 The draft Order also sets out several documents which the bodies concerned, including WNJC, must have regard to when carrying out its functions. Those documents are:

- 3.1.4.1 information supplied to the Secretary of State in support of the proposal for single tier local government in Northamptonshire;
- 3.1.4.2 the Northamptonshire County Council Best Value Report dated March 2018;
- 3.1.4.3 the Report into Children's Services in Northamptonshire by the Secretary of State for Education and the Secretary of State for Housing, Communities and Local Government dated May 2019;
- 3.1.4.4 the Direction issued by the Secretary of State for Housing, Communities and Local Government under the Local Government Act 1999 dated 10 May 2018;
- 3.1.4.5 the Directions issued by the Secretary of State for Education under the Education Act 1996 dated 30 November 2018 and 10 June 2019; and,
- 3.1.4.6 Any other Directions which may be given under the 1996 or 1999 Acts.

3.1.5 When the draft Order has been considered and approved by both Houses of Parliament any changes to the timetable will be notified to the WNJC so that it is able to make any necessary changes to its work programme.

3.2 Issues and Choices

3.2.1 The Governance Task and Finish Group is asked to note the draft timetable so that it may have regard to it when planning its work.

4. Implications (including financial implications)

4.1 Legal

4.1.1 Once the draft Order is approved and becomes law the West Northamptonshire Councils must take the steps set out in it within the stated timetables. If WNJC now plans its work having regard to the draft timetable it should be relatively easy to adapt to any amendments contained in the approved Order.

4.2 Policy

4.2.1 None.

4.3 Resources and Risk

4.3.1 None.

4.4 Equality and Health

4.4.1 None.

Appendices

A. Draft timetable

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WEST NORTHAMPTONSHIRE JOINT COMMITTEE (WNJC)

GOVERNANCE TASK AND FINISH GROUP

19 DECEMBER 2019

Report Title	Area Committees and Youth Forum (Council)
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1. Purpose

- 1.1 The purpose of this report is to inform Members of the Governance Task and Finish Group of information relating to Area Committees and Youth Forums/Councils.

2. Recommendations

It is recommended that:

- 2.1 The Governance Task and Finish Group notes the information provided.
- 2.2 The Governance Task and Finish Group considers whether to recommend to the West Northants Joint Committee (WNJC) that a Working Group be set up to investigate the feasibility of the inclusion of Area Committees and a Youth Forum in the meeting structure for the West Northants Authority, together with the legal structure and scope of such Committees and Forum.
- 2.3 If the Governance and Task Finish Group approve recommendation 2.2 above it considers the composition and membership of the Working Group.

3. Issues and Choices

3.1 Report Background

- 3.1.1 At the meeting of the WNJC held on 14 June 2019, the Committee considered the report of the Chair of the Governance Task and Finish Group.
- 3.1.2 It is detailed in the minutes of that meeting *“In reference to Appendix B, Councillor Matt Golby, commented that with the delay to vesting day, there was more time for work to be done on area committees and in establishing a Youth Council. There was an opportunity*

APPENDIX E

to learn best practice from others and this could potentially be done by forming a Working Group.”

Therefore, in response, this report has been compiled.

Area Committees

3.1.3 Generally, Area Committees of Local Authorities, comprise all Elected Members from the area's wards. They work closely with Council Officers, service delivery partners and members from the area's Voluntary and Community Sector to ensure strong and consistent links are made between local and town-wide priorities.

3.1.4 A typical role of an Area Committee is to:

- Identify the main priorities that reflect the biggest need in the area
- Monitor the quality and effectiveness of services delivered by the council and other main providers in the area
- Develop efficient and effective solutions to local area priorities as well as supporting city-wide issues
- Encourage local residents to become involved in decision making on matters which affect them

3.1.5 An Area Committee would be expected to work closely with local organisations make recommendations as part of a public meeting, following consultation with the community and networks within that community.

3.1.6 Typical functions that are delegated to Area Committees, include:

Each Area Committee shall have the following consultative and/or advisory roles: (a) to advise Cabinet or any Committee or Sub-Committee on matters of interest in its area; (b) to respond to consultations from the Cabinet or any Committee or Sub-Committee on proposed service charges, quality standards, new facilities, best value reviews or on any other matter; (c) to refer matters affecting its area, or part of its area, to Cabinet or the relevant Committee or Sub-committee. The exact legal structure and scope of responsibilities could be considered as part of the working groups brief.

3.1.7 A number of Local Authorities have appointed Area Committees, including Sunderland, Bristol, Cambridge and Hull.

Youth Forum (Council)

3.1.7 Northampton Borough Council has a Youth Forum. Northampton's Youth Forum is the town's youth council, made up of representatives aged 13 to 19 years old from schools and youth organisations across the borough. The forum members aim to speak up for, and on behalf of young people in Northampton and take an active part in decision making about young people by:

- Identifying and tackling issues of importance to young people.

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- Helping to make sure that young people get to have services and facilities in Northampton that they want.
- Seeking the views of young people and promoting opportunities to get involved and have their say.

3.1.8 The Youth Forum elects two young people to act as co-chairs each year.

3.1.9 The Youth Forum also has two adult co-chairs. A councillor co-chair, the Cabinet member for Community Safety and Engagement, and a community co-chair, currently an individual with an MBE for her longstanding work with the community and work in young people's education.

3.1.10 As a further example, Coventry City Council has included a Youth Council within its meeting structure. Its stated purpose is *“Coventry Youth Council is a group of young people aged between 11-21 who want to have a say about the decisions that are made in the city. It works with lots of different organisations, including the NHS, Coventry and Warwick Universities, CAHMS, Grapevine, Live UnLtd, West Midlands police and the Council. It does yearly campaigns on issues that affect young people in Coventry and aim to raise awareness to tackle these issues.”*

3.11 Derby City Council has a Youth Council – Voices in Action (ViA).

3.12 Voices in Action (ViA) is a youth council for young people aged 11 to 19 years old representing their school, support group or youth project. It holds monthly meetings and discusses a range different topics that affect children and young people, shares ideas and improve services for other children and young people who live in Derby, represent the views of young people at meetings and presents ideas to senior decision makers.

3.13 The Youth Mayor and Deputy Youth Mayor chair the youth council meetings and represent all children and young people in Derby. They are a vital part of the youth council helping to make beneficial decisions and create new ideas.

3.14 Each year ViA identifies one issue that is of particular significance to young people in the city such as:

- mental health
- homelessness
- new communities.

3.15 This issue is then looked at in detail and at the end of the year the findings and recommendations for improvement and change are presented to senior decision makers.

3.2 Issues and Choices

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- 3.2.1 The Governance Task and Finish Group is asked to consider recommending to the WNJC that a Working Group is set up to investigate the feasibility of the inclusion of Area Committees and a Youth Forum or Council in the meeting structure for the West Northants Authority.

4. Implications (including financial implications)

4.1 Legal

- 4.1.1 Should it be agreed that Area Committees and a Youth Forum (Council) are to be included as part of the Committee structure for the West Northants Authority, their Terms of Reference would need to be included within the Constitution for the West Northants Authority.

- 4.1.2 Detailed advice on the mechanisms available for delegating functions to Area Committees and allowing them to refer matters to other decision making bodies can be given to a Working Group if appointed. Similarly, detailed advice can be given to a Working Group as to how the views and findings of a Youth Forum or Council could be reported to decision making bodies to assist in their functions.

4.2 Policy

- 4.2.1 None.

4.3 Resources and Risk

- 4.3.1 None.

4.4 Equality and Health

- 4.4.1 None.

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