

Standards Committee Annual Report 2019/2020

Message from Councillor Suresh Patel, Chair, Standards Committee

This is the third Annual Report of the Standards Committee. It has been another busy year for the Standards Committee. In line with last year's Annual Report, instead of a complete commentary of all that the Committee has achieved over the year this Annual Report provides a summary of the key highlights of the work Standards has been engaged in during 2019/2020. Further details can be obtained from the Standards Committee [webpage](#).

The Standards Committee continues to promote and maintain high standards of conduct.

The work of the Standards Committee includes:

- Promoting and maintaining high standards of conduct
- Assisting Councillors and Co-Opted Members to observe Northampton Borough Council's Code of Conduct
- Monitoring the operation of the Code of Conduct
- Work through its Working Group (Work Plan)
- Producing and adopting a Training Strategy – Ethical and Governance Matters- Ethical Governance, Whistle Blowing and Complaints Handling

I would like to thank everyone for their endeavour to uphold these standards. My thanks are particularly extended to the Independent Persons for their input into Code of Conduct complaints, further details of the complains dealt with over the past year are contained within this report.

I would like to thank also, our co-optees for the input they have provided into the meetings of the Standards Committee. I would also like to thank the Deputy Monitoring Officer and the Democratic and Member Services Manager for their advice, guidance and support.



Councillor Suresh Patel
Chair, Standards Committee

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Introduction

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

Membership of the Standards Committee 2019/2020

The Standards Committee comprises 9 Borough Councillor Members, 2 Parish Council Co Opted Members and 2 Independent Co-opted Members

Borough Councillors

Councillor Suresh Patel (Chair)

Councillor Brian Oldham (Deputy Chair)

Councillors Alan Bottwood, Andrew Kilbride, Brian Markham, Les Marriott, Nilesh Parekh, Cathrine Russell and Terrie Eales

Co Optees – Parish Councillors

Councillor Linda Hook

Councillor David Lewis

Co-Optees – Independent Members

Ika Castka

Robert Mehaffy

Independent Persons

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

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

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In June 2013 the Council appointed the following Independent Persons:

Peter Glover. Prior to retiring in 2010, Peter Glover had a thirty year career with Northamptonshire Police Force during which time he gained experience of dealing with a variety of public bodies. As a senior police officer, Peter Glover gained extensive experience of undertaking disciplinary procedures and interpreting law and policy guidelines.

Alan Haynes. Alan Haynes qualified as a Chartered Engineer and had various roles in the railway industry, including roles associated with Health and Safety. Alan Haynes retired in 2006 and since 2010 has been the Northamptonshire Chair of the Independent Panel for Councillors' Allowances (the "IPCA"). In addition to the direct experience of local authorities gained through sitting on the IPCA, Alan Haynes encountered a variety of different public bodies in the course of his career in the railway industry.

During 2019/2020 the Independent Persons have been involved in two cases.

Code of Conduct

Complaints about councillors are dealt with as part of the council's standards process.

This Council's arrangements for dealing with complaints against councillors also apply to complaints made about parish councillors within the borough of Northampton.

Each parish council is responsible for adopting a code of conduct for its parish councillors. If you wish to view a parish council's code of conduct, you should inspect any website operated by the parish council and request the parish clerk to allow you to inspect the parish council's code of conduct.

Code of Conduct Complaints

From May 2019 to March 2020 the number of complaints regarding alleged breaches of the Code of Conduct were as follows, it is noted that one was received in 2018 but this complaint is still be dealt with:

Complaints against Parish Councillors

1) Complaint received on 29 May 2018

This file is open.

An initial assessment made by the Solicitor, on behalf of the Monitoring Officer, in consultation with the Independent Person, was held on 24 July 2018. The determination of the initial assessment of the complaint was that the complaint would be referred to an investigation. An Investigator has been appointed and the investigation has been concluded. The Investigator's conclusion was:

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It is the view of the Investigating Officer that the Subject Member acting in his capacity as a Councillor and that there is a case to answer by the Subject Member for failure to comply with the Council's Code of Conduct.

The Solicitor on behalf of the Monitoring Officer, has in consultation with the Independent Person reviewed the Investigator's report, and decided to refer the matter to the Standards Committee.

Therefore, a Hearings Panel of the Standards Committee will be established to conduct a Local Hearing in accordance with the Council's Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils. The Hearings Panel will conduct a Local Hearing to decide whether the Parish Councillor failed to comply with the Parish Council's Code of Conduct and, if so whether any action should be taken in respect of the Councillor.

Membership of the Hearings Panel was agreed at the March 2019 meeting of the Standards Committee:

Councillors Patel, Oldham, Marriott, Ms Caskra (Co-Optee (Independent) and Parish Councillor Lewis (Co Optee). Councillor B Markham (substitute).

The Hearings Panel took place in the summer 2019 and will reconvene. The Hearings Panel will be notified regarding a date for the Hearing.

Complaints against a Northampton Borough Councillor

1) Complaint received on 4 February 2020.

This file is open.

An initial assessment made by the Deputy Monitoring Officer, in consultation with the Independent Person will take place.

Work of the Standards Committee during 2019/2020

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

- Approval of the second Work Plan of the Standards Committee
- Approval of the second Annual Report of the Standards Committee
- Approval of the updated Training Strategy for the Standards Committee
- Approval of the updated Communication Strategy for the Standards Committee
- To action items on the Work Plan
- Review of the Whistleblowing Policy
- Approval of the Work Plan for the Committee for 2019/2020

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Training and Development

In accordance with its Training Strategy – Ethical and Governance Standards; training regarding:

Code of Conduct

Declaration of Interest

Declaration of Gifts and Hospitality

The session was delivered by an external training facilitator and was very well attended. A number of Parish Councillors were also in attendance.

In accordance with issues listed on the Training Strategy, further sessions will be are planned for the year 2019/2020.

Future Activity

The Work Plan for 2020/2021 will be considered by the Standards Committee at its June 2020 meeting. It will include standing annual items but will evolve as necessary during the year; taking into account any developing issues pertaining to standards.

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