

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Monday, 14 September 2015

PRESENT: Councillor Patel (Chair); Councillor Oldham (Deputy Chair); Councillors Gowen, Marriott, Aziz and Parekh

1. APOLOGIES

Apologies were received from Councillor Russell and Councillor Larratt

2. MINUTES

The minutes of the meeting held on the 17th February 2014 were amended to reflect that Councillor Capstick had sent his apologies and was not present. The spelling of Councillor Gowen's name was amended from McGowen to Gowen. The minutes were agreed and signed by the Chairman.

3. DEPUTATIONS / PUBLIC ADDRESSES

None.

4. DECLARATIONS OF INTEREST

None.

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

None.

6. THE ROLE OF THE STANDARDS COMMITTEE

The Borough Secretary & Monitoring Officer submitted the report as set out in the agenda. The report outlined the role of the Standards Committee. The Committee were referred to Appendix 1 of the report which included the Terms of Reference of the Standards Committee extracted from the Council's Constitution.

In response to a question from Councillor Parekh regarding the frequency with which standards were breached, the Borough Secretary & Monitoring Officer confirmed that while there was a significant volume of complaints, many were filtered out in the earlier stages of the process, not being progressed to an investigation. The Borough Secretary and Monitoring Officer noted that he was the Monitoring Officer for the Parish Councils and that although some complaint issues related to Borough Councillors, much of the complaints volume related to Parish Council issues.

The Borough Secretary and Monitoring Officer commented that although under the Localism Act 2011 there was no longer a requirement for a statutory Standards Committee, the Council still needed to have arrangements in place to maintain high standards of conduct and to resolve complaints. He commented that when the Council had implemented the changes required by the Localism Act 2011, it had kept the complaints process for dealing with standards complaints close to the former statutory process. The Monitoring Officer noted that while it is very important that the process for dealing with standards complaints remains robust, it does need to be simplified and made leaner. It was therefore recommended that the Committee establish a Working Group to consider the Code of

Conduct and the Arrangements for dealing with breaches to make recommendations for revision, reporting back to the Standards Committee, which in turn would make recommendations to Full Council.

In response to questions from the Committee regarding the association between the Standards Committee and the Parish Councils, the Borough Secretary & Monitoring Officer confirmed all complaint issues would initially be directed to him where a decision would be made as to how to deal with the complaint, that is, whether it required any further action, was suitable for alternative resolution or whether it was necessary to move to investigation and establish if a breach of the Code had occurred.

In response to questions from the Committee regarding the role of the Committee in the complaints process, the Borough Secretary and Monitoring Officer confirmed that a Hearings Panel of the Standards Committee could be convened to make determinations in cases where a complaint had been investigated and there was evidence of failure to comply with the Code.

In response to questions from the Committee, the Borough Secretary & Monitoring Officer confirmed that any complaints which raised issues of a criminal nature would be referred to the police.

RESOLVED:

- 2.1 That the summary contained in this Report, of the role of the Standards Committee be noted.
- 2.2 That a Working Group be established to consider the Northampton Borough Council Members' Code of Conduct and the 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 to formulate recommendations to Full Council regarding the revision of these documents and procedures;
- 2.3 That Councillor Marriot, Councillor Oldham & Councillor Parekh of the Standards Committee be nominated to sit on the Working Group referred to in paragraph 2.2.

7. ROLES OF INDEPENDENT PERSONS APPOINTED PURSUANT TO THE LOCALISM ACT 2011

The Borough Secretary and Monitoring Officer submitted the report as set out in the agenda. He commented that the role of the Independent Persons appointed under the Localism Act 2011 had been expanded. The Independent Persons who were appointed to take part in the process that deals with allegations that a Councillor had breached the Code of Conduct for Councillors, would now also have involvement in the new statutory dismissal procedures relating to Heads of Paid Services, Monitoring Officers and Section 151 Officers, following a recent change in the law.

The Borough Secretary and Monitoring Officer commented that the Independent Persons appointed by the Council could be called upon to carry out this additional role, if a disciplinary panel ever had to be convened in relation to one of the Council's three statutory officers (the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer).

The Chair thanked The Borough Secretary and Monitoring Officer for clarification on the roles of the Independent Persons appointed pursuant to the Localism Act 2011.

RESOLVED:

That the content of the Report be noted by Members.

8. COUNCILLOR TRAINING STRATEGY - ETHICAL AND GOVERNANCE MATTERS

The Borough Secretary & Monitoring Officer submitted the report as set out in the agenda. The purpose of the report was to seek the views of the Standards Committee on training requirements of Members of the Committee and other Councillors in relation to ethical and governance matters. He expressed the importance that each Member of the Standards Committee be adequately trained in ethical and governance matters to enable them to act as effective members of the Committee.

In response to a question from Councillor Gowen regarding the possibility of observing the Standards Committee of another authority, the Borough Secretary & Monitoring Officer advised that this would be a possibility when the meetings were open to the public and there may be the possibility of observing the Committee of a large London Borough or exemplar authority as part of Members' training.

RESOLVED:

- 2.1 That the level and type of training that Members of the Committee require on ethical and governance matters is considered and that the Monitoring Officer is advised accordingly;
- 2.2 That a Working Group is established to consider the training requirements of all Members of the Council in relation to ethical and governance matters within the remit of the Standards Committee and devise a Training Strategy, which also includes consideration of the extent to which such training should be extended to Parish Councils within the Borough; and
- 2.3 That Councillor Marriot, Councillor Oldham & Councillor Parekh of the Standards Committee be nominated to the Working Group referred to in paragraph 2.2.

The meeting concluded at 17.41

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