

East Northamptonshire Council Standards Board Annual Report 2008

1 Introduction

1.1 The East Northamptonshire Council Standards Committee (known as the 'East Northamptonshire Standards Board') was established by the Local Government Act 2000, to promote and maintain high standards of conduct by District Councillors and members of the Town and Parish Councils in East Northamptonshire.

2 Membership

2.1 Committee membership this year was as follows:-

At 1 January 2008

East Northamptonshire Councillors

Glenvil Greenwood-Smith
Barbara Jenney
Brian Northall
Adele Thorpe (resigned November 2008)

Parish Council Representatives

John Denning

Town Council Representatives

Gwen Radcliffe

Independent Members

Robert Wootton (Chairman)
Graham Blagden
Ika Castka (Vice Chairman)
Hilary Daniels

At 31 December 2008

East Northamptonshire Councillors

Glenvil Greenwood-Smith
Barbara Jenney
Brian Northall

Parish Council Representatives

John Denning
Sue North (From 30 June 2008)

Town Council Representatives

Gwen Radcliffe
Prudence Goss (From 30 June 2008)

Independent Members

Graham Blagden (Chairman from 19 November 2008)
Hilary Daniels (Vice Chairman from 19 Nov 2008)
Canon Roger Knight (from 17 September 2008)
Lance Quantrill (from 19 November 2008)

2.2 The Board would like to express its gratitude to Robert Wootton and Ika Castka for their long and exemplary service to the Standards Board and wish them well in their 'retirement'. Robert Wootton had been Chairman of the Board since its inception and through his hard work, great knowledge and diplomacy led the Board through its early years to its present established position. Ika Castka, Vice Chairman since 2006, gave welcome support to Robert and always gave sound advice to the Board. At the Council meeting on 3 November the Leader of the Council thanked Robert Wootton for his service over the last eight years and his substantial contribution to the ethical governance of the Council over that period. Councillor Adele Thorpe also left us this year when she retired from the Council.

3 Meetings

3.1 The Board met on four occasions during the year for scheduled meetings.

Two additional meetings were held to consider complaints brought under the former code of conduct, which was superseded by a new code in 2007.

- 3.2 Last year the Government introduced new arrangements for dealing with complaints locally, which meant the Board needed to create new structures to ensure a transparent process for handling the complaints we receive. The Board agreed to set up three ad hoc sub-committees: Assessment, Review and Hearing, each of which would handle a different aspect of a complaint, with each sub-committee having a different membership. In order to achieve maximum flexibility, each sub committee consists of at least one Independent Member, an East Northamptonshire Councillor, a Town/Parish Councillor and one other member of the Board; a total of four members. The sub-committees do not have fixed membership, and Council's Monitoring Officer selects the membership of each sub committee, to ensure that there is separation of roles and that the legal requirements are met. Each sub-committee must have an Independent Chairman. .
- 3.3. To meet the legislative requirements for different sub-committee membership, we recruited additional Board members and were pleased to welcome two new Independent members - Canon Roger Knight and Mr Lance Quantrill - and two new parish representatives - Councillors Prudence Goss and Sue North.
- 3.4 One Assessment sub-committee meeting was held this year to consider complaints against three members of a Parish Council. The sub-committee decided to ask the Monitoring Officer to take alternative action, rather than undertake an investigation to resolve the complaints and this action has taken place. As a result, the Parish Council has received advice on council administration and refresher training on the code of conduct and declaring interests.
- 3.5 We held a very useful joint meeting with the Council's Audit and Risk Management Committee to consider corporate governance arrangements at the Council using a new self assessment framework produced by CIPFA/SOLACE for evaluating governance arrangements within Councils.¹ The results of this exercise contributed positively to the Council's Annual Governance Statement last year.

4 Consultation with Government

- 4.1 During the year the Board responded to proposals from central Government to change the code of conduct yet again for Councillors and to introduce a new code of conduct for Council employees. At the time of writing, the outcome of this consultation exercise isn't known, but the Board anticipates that there will be further changes to the code of conduct for Councillors when a revised code is introduced next June.

¹ *Delivering Good Governance in Local Government: Framework*, CIPFA, 2007.

5 Local Government Ombudsman's Investigations 2007/08

- 5.1 The Board received a report summarising the Local Government Ombudsman's investigations into complaints against the Council during 2007/08. It was pleasing to note there were no findings of maladministration against the Council during the year and although the number of complaints had remained much the same as last year, it was encouraging to see that positive action was being taken to resolve complaints that did arise.

6 Standards Board for England

- 6.1 Councillor Glenvil Greenwood-Smith, Mr Graham Blagden, Canon Roger Knight and the Monitoring Officer attended the Standards Board for England (SBE) Annual Assembly in Birmingham on 13/14 October. Over the two days, a number of presentations and workshops considered how the new complaint handling arrangements were working on the ground, and how the use of 'alternative arrangements' was being adopted as a means of resolving complaints without conducting investigations.
- 6.2 The SBE now has a new Chairman and a new Chief Executive and has moved its offices to Manchester. It is adjusting to its new role of "strategic regulator", overseeing the complaints regime, and providing advice to Standards Committees and Monitoring Officers nationally, now that individual complaints are being dealt with locally.
- 6.3 This year the SBE introduced a quarterly reporting process for Standards Committees and the Monitoring Officer has submitted the requisite on-line returns.

7 Investigations into Complaints.

- 7.1 During the year, investigations were concluded into two allegations which had been referred to the Board the year before. These concerned a possible breach of the former code of conduct by two members of the same Town Council during 2006/07. The Council's Monitoring Officer had appointed an external Investigating Officer to investigate the complaints on her behalf and the Investigating Officer's reports were subsequently considered at separate meetings of the Board. In both cases the Board accepted the Investigating Officer's finding that there had been no failure to comply with the code and hearings were not held.
- 7.2 The investigations were extensive and protracted, and whilst 'no failure' was found in either case, the Board believes that the complaints raised justified issues of concern and that it was right for the complaints to be made and investigated. The Board recognises that it has a responsibility to promote high standards of corporate governance at Town and Parish Council level, and with this in mind, is seeking to work with the Town Council concerned in respect of the lessons learnt.

- 7.3 The Board hopes that the operational procedures it has adopted since the introduction of the new local arrangements for dealing with complaints and the rigorous timescales it has set for processing allegations, should enable them to be concluded more quickly in future.
- 7.4 As noted in section 3.3 above, the Assessment sub-committee met in October to consider the first complaints under the new local filter arrangements from a member of the public against three members of one Parish Council and, after detailed deliberation, referred the matter to the Monitoring Officer for action other than an investigation. As a result two meetings have been held with the Parish Council concerned and advice and guidance has been provided on declarations of interest, corporate governance and council administration generally. The Board is pleased to record the positive response from the Parish Council, whose Councillors have co-operated fully with Monitoring Officer to refresh their knowledge of the code of conduct and demonstrate their commitment to high standards.

8 Other Matters

- 8.1 Last year the Council's Auditors highlighted the need to review the Council's Confidential Reporting Code which had been produced some years earlier. The review was undertaken by the Monitoring Officer who worked with a group of staff to produce a 'whistle blowing' policy that is more user-friendly and easier to understand. The Board approved the new 'Whistle Blowing Policy', which encourages employees to raise any concerns they might have within the Council, rather than overlook a problem or 'blow the whistle' outside, and seeks to reassure them that they can raise a concern without fear of victimisation or disadvantage. The Board is confident that such a policy can only improve service delivery and is pleased that it had the full confidence of staff.
- 8.2 The Board wishes to acknowledge the valuable work of Barbara Ding, the Monitoring Officer, particularly during this period of change. The Board also wishes to thank Keith Osborne for his advice and help. Last year we bade farewell to Mick Bowerman who retired from the Council and who had acted so efficiently as Clerk to the Board since it started. We welcome Rachel Reeds in his stead.

9 Future work of the Board.

- 9.1 The introduction of the new local arrangements for handling complaints against Councillors will inevitably impact on the Board's workload, but it is difficult at this stage to gauge what the volume of work will be. The Board is satisfied that this has not been a problem this year. However, the Government is once again reviewing the Councillors' code of conduct and considering the introduction of a similar code for Council employees, which

will bring further training needs. The Board needs to be fully prepared for any changed or new responsibilities that come under its remit and will need review not only its own training needs, but those of the 350 District, Town and Parish Councillors in East Northamptonshire.

- 9.2 The Board has spent much time in the past considering and responding to Government consultations on ethical matters and hopes for a period of stability in 2009/10 once the promised changes to the code of conduct for local authority Members are in place. This will enable us to adopt a more proactive approach to training and advice for Councillors, particularly Town and Parish Councillors and their Clerks, working, where possible, with the Northamptonshire County Association of Local Councils. Further changes to the membership of the Board are expected in 2009 which will give rise to training needs for the Board itself. The Board will continue to seek ways to make a positive contribution to the effective governance of the Council and the promotion of high standards of Councillor conduct throughout East Northamptonshire.

Graham Blagden
Chairman

On behalf of the East Northamptonshire Standards Board

February 2009