



East
Northamptonshire
Council

Joint Standards Complaints Committee – 19 June 2013

Review of Standards Arrangements

Purpose of report: This report provides details of the changes to the definitions of the Nolan Principles of Public Life and proposes a working party be set up to review the current standards arrangements now that they have been in place for one year.

Attachment(s)

Appendix A - Comparison of the previous and new definitions for the Seven Nolan Principles of Public Life

1.0 Code of Conduct

- 1.1 Section 28 of the Localism Act requires this Council to adopt a Code of Conduct for Councillors which is consistent with the seven principles of public life (known as the Nolan principles). These principles were originally defined in 1995. This Council chose to base its Code on Conduct on the wording of these principles.
- 1.2 In January 2013 the Committee for Standards in Public Life 2013 published a report "Standards matter – A review of best practice in promoting good behaviour in public life" which revised the definitions of some of the principles. (See Appendix A). A review of the Council's Code of Conduct is therefore required to ensure that it is still consistent in the way it interprets the principles.
- 1.3 Any subsequent changes will also need to be communicated to those Town and Parish Councils which have adopted the ENC Code.

2.0 Complaints Process

- 2.1 It was also agreed when the new complaint assessment arrangements were adopted that a review would be held after 12 months to ensure that they were working appropriately. Although only a few complaints have been assessed under the new process at the time of writing this report, it is still considered appropriate to review the arrangements at this point in the light of emerging best practice at other councils.

3.0 Review Arrangements

- 3.1 It is proposed that a review group of three members of the Joint Standards Complaints Committee be created to review the current code and complaints assessment process. This review should include an opportunity for all Town and Parish Councils to comment on the Code and the Assessment Process. Any proposed changes would then be reported to this Committee in September for forwarding to the ENC Scrutiny Committee for consideration.

4.0 Equality and diversity issues

- 4.1 There are no known negative equality and diversity issues arising from this paper.

5.0 Legal implications

- 5.1 A review of the Code is required to ensure continued compliance with the Localism Act following the changes in definitions of the Seven Principles of Public Life.

6.0 Risk management

6.1 A review of the Code and Complaints process will reduce further the low risk of legal challenge to our processes.

7.0 Financial implications

7.1 There are no known additional financial implications arising from this report.

8.0 Corporate outcomes

8.1 The work of proposed working party will contribute to the Corporate Outcomes of Effective Management and Strong Community

9.0 Recommendations

9.1 That three Councillors are appointed from this Committee to the Working Group, to include at least one Town and Parish Councillor representative.

(Reason: To ensure that the Council's Code of Conduct continues to reflect the Nolan principles and complies with the Localism Act)

Legal	Power: Localism Act 2011				
	Other considerations: Constitution				
Background Papers:					
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Date: 5/6/13					
CFO		MO		CX	

(Committee Report Normal Rev. 22)

Appendix A - Comparison between new and previous wording for the Seven Principles of Public Life

Principle	Previous definition	New definition
Selflessness	Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends	Holders of public office should act solely in terms of the public interest.
Integrity	Holders of public office 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	Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
Objectivity	In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit	Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
Accountability	Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office	Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
Openness	Holders of public office 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.	Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing
Honesty	Holders of public office have a duty to 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.	Holders of public office should be truthful
Leadership	Holders of public office should promote and support these principles by leadership and example.	Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs