1.0 Background

1.1 The purpose of the Joint Standards Complaints Committee is set out in its terms of reference in part 8 of East Northamptonshire Council's constitution. This is to discharge the duties under the localism act 2011, including the investigation and determination of allegations together with other activities such as granting dispensations. A key element of its work is also ensuring the provision of training of councillors on matters relating to the code of conduct.

2.0 Membership of the Committee

2.1 The Committee comprises 14 members, half of whom are appointed by East Northamptonshire Council at its Annual Meeting each year. The following Councillors were appointed for the municipal year 2018/19:

- Cllr R Beattie
- Cllr A de Capell Brooke
- Cllr Lance Jones
- Cllr Gill Mercer
- Cllr Andy Mercer
- Cllr Roger Powell
- Cllr Robin Underwood

2.2 7 Parish and Town Councillors are appointed collectively by all parish and town councils within the District, as and when a vacancy arises. The current Parish /Town Councillors on the Committee are as follows, noting that there is currently one vacancy:

- Dave Munday Stanwick PC
- Nigel Rudd Warmington PC
- Roy Sparkes Oundle TC
- Robert Tyman Raunds TC
- Arthur Whittaker Yarwell PC
- Adrian Winkle Irthlingborough TC

Independent Person – Mrs Vivienne Barnard
Reserve Independent Person – Mr Andrew Sortwell

The Monitoring Officer and Deputy Monitoring Office are also present at meetings.
3.0 The Monitoring Officer

3.1 The Monitoring Officer (MO) holds a statutory role under section 5 of the local government and housing act 1989 and section 27 of the localism act 2011 and is responsible for promoting and maintaining high standards of conduct and for reporting any actual or potential breaches of the code of conduct and for dealing with actual or potential breaches of the code of conduct. The MO may also consider that a complaint can be reasonably resolved informally and will discuss this option with the complainant and subject of the complaint where appropriate.

3.2 A new staffing structure was introduced in July 2019 for a Head of Legal Services Group (job title subsequently changed to Chief Legal Officer), employed by Kettering Borough Council, which includes the role of MO for East Northamptonshire Council. The role covers responsibilities across Kettering BC, BC of Wellingborough and this Council.

3.3 The Constitution was amended in July 2019 to reflect this change and to ensure the level of support required from within this Council is provided to support that role. It therefore confirmed the current practice that ‘the monitoring officer will be supported in this role by the Democratic Services Manager, who will be appointed as Deputy Monitoring Officer.’

4.0 Independent Persons

4.1 Two Independent Person(s) are invited to attend all meetings of the Joint Standards Complaints Committee and are involved in the assessment of complaints.

4.2 The current Independent Person was appointed in October 2012 so their second and final term of office was due to expire in October 2020. Given that this council will cease to exist in March 2021, full Council approved in June 2019 that, in these very specific circumstances, part 2, article 9 of the Constitution be amended as follows to enable the current Independent Person and reserve to serve until the end of this council if they wish.

“The Independent Person and reserve will be appointed for a maximum period of three terms of four years.”

5.0 Joint Standards Complaints Committee business

5.1 During the municipal year 2018/19 the Committee has met on the following dates and the agenda has dealt with the following items of business:

18 July 2018
- Activity Report of the Monitoring Officer was received and members noted updates; one new formal complaint had been received relating to a parish council.
- The Committee noted that the Monitoring Officer had attended, on behalf of the Northamptonshire Monitoring Officers Group, a round-table event organised by Committee for Standards in Public Life (CfSPL). The event covered the structures, processes and practices for maintaining high ethical standards by local councillors; whether the current arrangements are conductive to that aim;
and what improvements might be made. Discussions had focussed on three areas: Codes of Conduct and Declarations of Interest; Sanctions and processes; and Culture and Improvement.

- Changes to the Constitution proposed by the Monitoring Officer in relation to reporting of complaints
- The Monitoring Officer also reported the progress on sanctions recommended at a recent hearing panel.

**21 November 2018**
- Activity Report of the Monitoring Officer was received.
- The Monitoring Officer also provided an update on the proposed changes to part 9 of the constitution (code of conduct complaints assessment process).

**20 March 2019**
- Activity Report of the Monitoring Officer was received, including details of four new complaints and also a dispensation was granted allowing a local parish councillor to represent their community on issues of wider community concern in relation to the Parish Council’s management of allotment spaces whilst acknowledging the personal interest they had in part of that space.
- The MO submitted a report which provided a summary of the Committee for Standards in Public Life (CfSPL) report on the Local government Ethical Standards and proposed some actions ENC should take in relation to its recommendations, including a minor change to Part 9 of the Constitution (code of conduct complaints assessment process).
- Update on review of governance at a Parish Council which had been commissioned following a number of Councillor Code of Conduct complaints in 2017/18.

**6.0 Achievements**

6.1 The committee has been able to engage with a number of significant issues during the period and have through its role ensured the maintenance of high standards of conduct across East Northamptonshire by dealing with any complaints or issues that have arisen.

**7.0 Equality and Diversity Implications**

7.1 None arising from this report.

**8.0 Privacy Impact Implications**

8.1 None arising from this report.

**9.0 Legal Implications**

9.1 There are no legal implications arising from this report.

**10.0 Risk Management**

10.1 There are no risks arising from this report.
11.0 Resource and Financial Implications

11.1 There are no financial implications arising from this report.

12.0 Constitutional Implications

12.1 None.

13.0 Implications for our Customers

13.1 None.

14.0 Corporate Outcomes

14.1 This report contributes to the delivery of the Corporate Outcome of effective partnership working, as evidenced by the close co-operation and good working relationship between the District and town and parish councils in delivering the functions of this Committee.

15.0 Recommendation

15.1 The Committee is recommended to note the Annual Report for 2018/19.

[Reason for Decision: To keep the Committee informed of its work over the last 12 months.]