

Borough Council of  
**King's Lynn &  
West Norfolk**



# **Standards Committee**

## **Agenda**

**Monday, 18th December, 2023**  
at 9.30 am

in the

**Council Chamber, Town Hall, Saturday  
Market Place, King's Lynn and available  
for the public to view on You Tube.**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200  
Fax: 01553 691663

**STANDARDS COMMITTEE  
AGENDA**

**DATE: STANDARDS COMMITTEE - MONDAY, 18TH  
DECEMBER, 2023**

**VENUE: COUNCIL CHAMBER, TOWN HALL, SATURDAY  
MARKET PLACE, KING'S LYNN PE30 5DQ**

**TIME: 9.30 am**

**1. APOLOGIES**

**2. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 7)**

To approve the minutes from the Standards Committee held on 3 February 2023.

**3. DECLARATIONS OF INTEREST (Page 8)**

Please indicate if there are any interests which should be declared. A declaration of interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on any item or simply observing the meeting from the public seating area.

**4. URGENT BUSINESS UNDER STANDING ORDER 7**

To consider any business which, by reason of special circumstances, the Chair proposed to accept as urgent under Section 100(b)(4)(b) of the Local Government Act 1972.

**5. MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

**6. CHAIR'S CORRESPONDENCE (IF ANY)**

**7. SUMMARY OF 2023/2023 COMPLAINTS (Pages 9 - 22)**

To receive a summary from the Monitoring Officer.

**8. SUPPORT FOR PARISH COUNCILS WITH STANDARDS MATTERS (Pages 23 - 32)**

To receive a report from the Monitoring Officer.

**9. DATE OF NEXT MEETING**

To be advised.

To: Members of the Standards Committee

Councillors A Ware, S Sandell, B Ayres, S Nash, S Ring, S Squire and D Tyler.

For Further information, please contact:

Borough Council of King's Lynn & West Norfolk  
King's Court, Chapel Street  
King's Lynn PE30 1EX

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**STANDARDS COMMITTEE**

**Minutes from the Meeting of the Standards Committee held on Friday, 3rd February, 2023 at 10.00 am in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillor B Ayres (Chair)  
Councillors Mrs J Collingham and C Manning

**Also present on Zoom:**  
Councillor Mrs S Collop

**OFFICERS:**

Alexa Baker, Monitoring Officer  
Kathy Wagg, Democratic Services Officer

1 **APOLOGIES**

Apologies had been received from Councillor Hipperson.

2 **MINUTES FROM PREVIOUS MEETINGS**

The minutes of the previous meeting were agreed by the Committee and signed by the Chair, as follows:

31 January 2022 – Panel Hearing  
1 February 2022 – Panel Hearing  
3 November 2022 – Panel Hearing  
30 November 2022– Full Committee

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

5 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor Collop attended under Standing Order 34 Zoom.

6 **CHAIR'S CORRESPONDENCE (IF ANY)**

[Click here to view a recording of this item on You Tube.](#)

The Chair reported that he had received an email regarding the conduct of Members at meetings.

The Monitoring Officer reminded the Committee that last year the Council signed up to Debate not Hate LGA campaign. She suggested that Councillors should be reminded of this and the relevant Standing Orders to deal with the conduct of Councillors at meetings.

Following discussion on the best method of communicating the reminder, it was agreed that specific reference be made in the Code of Conduct, an article in the Members Bulletin and the Monitoring Officer would email the Chairs of Committees and Panels reminding them of the relevant standing orders for dealing with Members conduct at meetings.

## 7 **UPDATED CODE OF CONDUCT AND GUIDANCE ON COMPLAINT HANDLING**

[Click here to view a copy of this recording on You Tube](#)

The Monitoring Officer took the Committee through the amendments to the Code of Conduct, as requested at the previous meeting, highlighted by track changes to the document, namely:

- 2.3 Bullying, harassment and discrimination
- 9.2 Interests
- Appendix B Registering Interests – paragraphs 11 and 12

In response to the item regarding Members conduct at meetings, the Monitoring Officer suggested the following form of words to be included after the first paragraph:

*If you are to act in this manner in a public meeting of this Council, the Chair of that meeting will have due regard to Standing Order 15 regarding disorderly conduct of members.*

The Monitoring Officer then invited the Committee to approve the Updated Code of Conduct subject to the addition of the wording above (in italics) which was agreed.

### **RECOMMENDED:**

- (1) That full Council approves the updated Members Code of Conduct with the track changes accepted, and the addition of the wording in italics.

(2) That the Guidance on Complaint Handling be adopted.

8 **STANDARDS COMMITTEE DECISION NOTICES 2022**

[Click here to view a recording of this item on You Tube.](#)

The Standards Committee considered and noted the decision notices of the hearings held on 1 February 2022 and 3 November 2022.

9 **DATE OF NEXT MEETING**

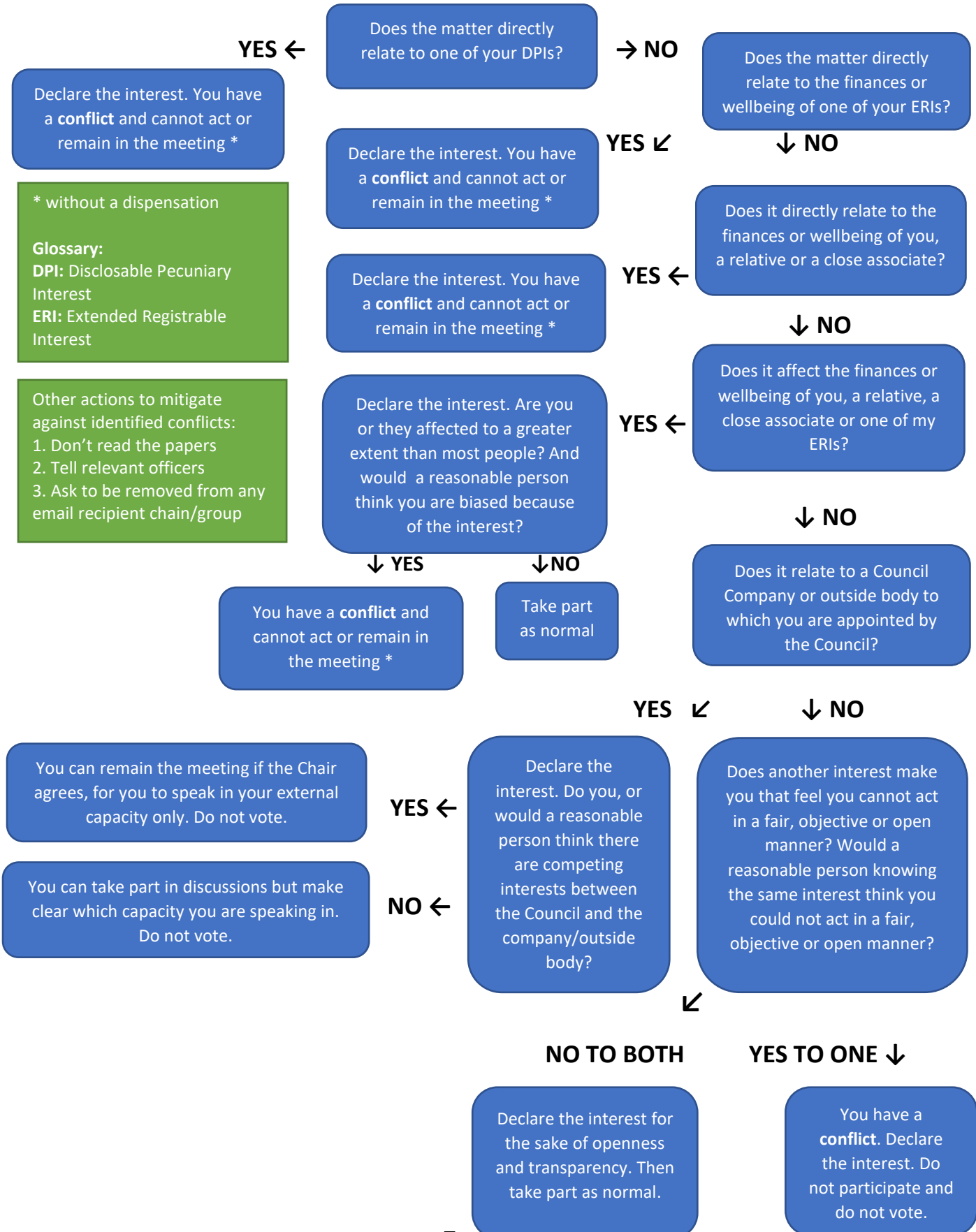
To be arranged when required.

**The meeting closed at 10.27 am**

# DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



## START



Declare the interest. You have a **conflict** and cannot act or remain in the meeting \*

\* without a dispensation

### Glossary:

**DPI:** Disclosable Pecuniary Interest

**ERI:** Extended Registrable Interest

Other actions to mitigate against identified conflicts:

1. Don't read the papers
2. Tell relevant officers
3. Ask to be removed from any email recipient chain/group

YES ←

→ NO

YES ↙

↓ NO

YES ←

↓ NO

YES ←

↓ NO

↓ YES

↓ NO

YES ↙

↓ NO

YES ←

NO ←

↙

NO TO BOTH

YES TO ONE ↓

**STANDARDS COMMITTEE REPORT**

REPORT TO:	Standards Committee		
DATE:	4 December 2023		
MEETING DATE	18 December 2023		
TITLE:	Summary of 22-23 Code of Conduct Complaints		
REPORT AUTHOR:	Monitoring Officer		
OPEN/EXEMPT		WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

**REPORT SUMMARY**

<b>PURPOSE OF REPORT/SUMMARY:</b>
To place before Members a summary and analysis of the Code of Conduct complaints received and/or determined in the period 1 April 2022 to 31 March 2023 in relation to both Borough Councillors and Parish Councillors from the 101 Parishes within West Norfolk.
<b>KEY ISSUES:</b>
Members are directed to Appendix A for the breakdown of the complaints made and to note the trends within the numbers.  Complaints centred around disrespectful conduct by Councillors are the most prominent.  Almost all complaints received in relation to Parish Councillors were made by a fellow Parish Councillor.  No complaints received during this period passed the threshold for a formal investigation.  Social media based complaints are not significantly featuring within the formal complaints made.
<b>RECOMMENDATIONS:</b>
1. To note the contents of this report, and in particular the contents of Appendix A.
<b>REASONS FOR RECOMMENDATIONS:</b>
To fulfil the Standard Committee's functions to monitor the implementation and operation of the Councillor Code of Conduct.



## **REPORT DETAIL**

### **1. Background**

The Borough Council is responsible for assessing Code of Conduct complaints in relation to its own Borough Councillors but also the Code of Conduct complaints made against any Parish Councillor from a Parish Council within the Borough.

The following sections are taken from the Borough Council's "Guidance on Member Code of Conduct Complaints Handling", approved by the Standards Committee on 3 February 2023, and available at:

[https://www.west-norfolk.gov.uk/downloads/download/37/complaints\\_against\\_councillors\\_documents](https://www.west-norfolk.gov.uk/downloads/download/37/complaints_against_councillors_documents) :

### **2.8 Assessment**

*The assessment of a complaint is normally a two-step process, described as the 'can/should' stages – the first stage being 'can we deal with this complaint?' and the second being 'should we deal with this complaint?'.*

#### **2.8.1 First-step criteria**

*The first step is a jurisdictional test and would assess whether the complaint is:*

- *against one or more named councillors of the authority or of a parish or town that the council is responsible for;*
- *the named councillor was in office at the time of the alleged conduct;*
- *the complaint relates to matters where the subject member was acting as a councillor or representative of the authority and it is not a private matter (i.e. the subject member was acting in their official capacity);*
- *the complaint, if proven, could be a breach of the Code under which the subject member was operating.*

*In relation to the final bullet point above, the Monitoring Officer will not only consider any parts of the Code of Conduct identified by you, but will consider the whole of the relevant Code of Conduct to ascertain which parts the Monitoring Officer believes are engaged.*

*If the complaint fails one or more of the tests above, it cannot be investigated as a breach of the Code, and you will be informed that no further action will be taken in respect of the complaint. If there is any doubt, however, the allegation should proceed to the second stage. For example, if it is unclear whether the councillor was acting 'in capacity' or not then the second stage of assessment criteria should be used.*

#### **2.8.2 Second-step criteria**

*We will then assess your complaints against the following criteria by the Monitoring Officer:*

- a) *Does the complaint contain sufficient evidence to demonstrate a potential breach of the Code, even where further information is sought from the complainant?*
- b) *Is the matter serious enough and sufficiently in the public interest to warrant the public resource and expense of an investigation?*
- c) *Are there alternative, more appropriate, remedies that should be explored first?*
- d) *Does the complaint, in the view of the Monitoring Officer, appear malicious, politically motivated, or 'tit for tat'?*

- e) Whether, even if proven, the complaint would not be serious enough to warrant any sanction (see section 5.1 on sanctions);
- f) Whether a substantially similar complaint has previously been considered and no new material evidence has been submitted within the current administration;
- g) Whether a substantially similar complaint has been submitted and accepted;
- h) Does the complaint relate to conduct in the distant past? This would include consideration or any reason why there had been a delay in making the complaint;
- i) Has the behaviour that is the subject of the complaint already dealt with? For example, through an apology at the relevant meeting;
- j) Does the complaint actually relate to dissatisfaction with a local authority decision rather than the specific conduct of an individual?
- k) Is it about someone who is no longer a councillor or who is seriously ill, thus impeding their ability to engage in the complaint process?
- l) Had the subject member acted on the advice of an officer or the Independent Person in relation to the conduct complained of?
- m) Did the conduct arise from lack of experience or training?
- n) Is the subject matter of the complaint being dealt with through any other complaints, legal or regulatory process.

The above criteria is intended to be indicative rather than prescriptive, and the underlying public interest will always be considered when deciding on whether to take action on a complaint.

.....

## **2.9 Decision**

### **2.9.1 Initial assessment decisions**

.....

One of the three following decisions will be reached on an allegation:

- no further action should be taken on the allegation;
- the matter should be dealt with through a process of informal resolution in the first instance (see section on informal resolution) or;
- the matter should be referred for a formal investigation (see section on investigations).

.....

### **3.3 Examples of informal resolution**

- An apology;
- Training by the subject member;
- Policy/protocol change or adoption by the Council;
- Provision of advice from the Monitoring Officer to the Subject Member; or
- Mediation

## **2. Summary of Parish and Borough Councillor Complaints 2022-2023**

Thirty complaints were received and/or determined during the period 2022-2023, of which seventeen were made against Parish Councillors and thirteen were against Borough Councillors.

Members are directed to Appendix A for a breakdown of the complaints.

The complaint categories relate to the **allegations** made. None of the complaints made during this period passed the threshold for a formal investigation.

For Members' reference, by comparison, in the first seven months of the current year, thirty-seven complaints have been received. Thirty-two of these are complaints relating to Parish Councillors.

#### Borough Councillor complaints

Thirteen Borough Councillor complaints were received. Of these, two were duplicates of two other complaints on the same facts. A further three complaints were brought by the same individual with the same basis, namely councillor responsiveness.

Consequently there were eleven incidents which led to formal complaints against Borough Councillors being received during 2022-2023. These related to seven separate Borough Councillors.

#### Parish Councillor complaints

Six of these complaints arose in relation to a single Parish Councillor (one made by the Parish Councillor, five against), and the five made against the Councillor were all broadly focussed on the same conduct. Two separate sets of two complaints both concerned the same incident. As a result, ten Parish Councillors had complaints against them in relation to twelve separate incidents.

### **3. Complaints against Borough Councillors**

#### Nature of Alleged Breach

The subject nature of the complaints do not indicate a pattern save that four complaints related to a failure to declare interests, however two of these complaints were duplicates, therefore in reality there were three separate instances of complaints relating to a failure to declare interests concerning two Borough Councillors.

#### Councillor-on-Councillor complaints

Three of the thirteen complaints were made by Councillors.

#### Vexatious/malicious/political motive of complainant

In one of the complaints, weight was attributed to the complaint having been brought on a malicious/vexatious and political basis.

### **4. Complaints against Parish Councillors**

In respect of the six complaints linked to a single Councillor, five were made by other Councillors. The Monitoring Officer explored with the parties whether these would be better addressed via a combined mediation, but agreement to this was not reached. Prior to the election in May 2023, the central Councillor resigned and therefore those complaints could no longer proceed.

In respect of the Parish Councillor complaints that proceeded, relevant information is below.

#### Nature of Alleged Breach

Many of the complaints concern allegations of disrespect.

In six cases the Monitoring Officer considered it appropriate to advise the Councillor to consider moderating his/her language.

In the cases where no further action was taken, the noticeable themes were either (i) the behaviour did not in fact appear disrespectful or was within the bounds of freedom of political speech, (ii) the motivation of the complaint was questioned (see below).

#### Investigation

None of the complaints resulted in investigation, but as above, the Monitoring Officer considered it appropriate to advise Councillors to consider moderating his/her language in a six cases.

#### Councillor-on-Councillor complaints

Of the seventeen Parish Councillor complaints, only one of these was made by a member of the public and the remaining sixteen were made by another Councillor in the same Parish Council. There were five complaints involving a single Councillor which were ultimately discontinued as a result of resignation. There were eleven other complaints between Councillors. Of these, based on the information available to the Monitoring Officer, only one appeared to be “politically” rather than objectively motivated.

#### Vexatious/Other motivation

Three of the decided complaints were identified potentially vexatious. Two of these was made by a councillor. The other arose from a planning matter and appeared to potentially arise from grievance over that issue.

### **5. Other Observations**

During 2022-2023, complaints handling was mainly outsourced to North Norfolk District Council via their in-house legal team, eastlaw. Since taking the process back in-house in March 2023, the Council has instituted a rigorous system of managing cases to ensure they are dealt with on a timely basis.

### **6. Financial Implications**

There are no specific financial implications arising out of this report.

### **7. Any other Implications/Risks**

An effective standards regime forms part of the Council's Code of Corporate Governance. The Department for Levelling Up, House and Communities has recognised the ‘Culture’ of a local authority as one of the seven themes of good practice for running an authority that meets and delivers best value. The culture of a local authority is determined by its shared values, ethics and beliefs, how decisions are made, as well as how elected members and officers behave, interact and carry out their roles. The standards regime supports the process of monitoring the culture of the Borough Council and its Parishes, enabling all respective authorities to take action to address any relevant Councillor behaviour and thereby improve the culture of the organisation.

### **8. Equal Opportunity Considerations**

None arising out of this report.

### **9. Environmental Considerations**

None arising out of this report.

## **9. Consultation**

None – briefing paper to Members of 22-23 complaints.

## **10. Conclusion**

Members are updated with a summary and analysis of the Code of Conduct complaints received and/or determined in the period 1 April 2022 to 31 March 2023 in relation to both Borough Councillors and Parish Councillors from the 101 Parishes within West Norfolk.

## **11. Background Papers**

None

## Appendix A – Standards Committee Report – 22/23 Complaints

**TABLE 1 – SUMMARY OF COMPLAINTS**

No.	Complainant	Group/Parish	Outcome	Complaint Category
1.	Councillor	Conservative Group	Informal resolution – apology requested	Disrespect – Councillor towards Councillor
2.	Officer	Independent Group	NFA	Disrespect – Councillor towards Officer
3.	Councillor	Conservative Group	Informal resolution - advice provided	Failure to declare interest
4.	Member of the public	Conservative Group	NFA	Failure to carry out duties
5.	Member of the public	Conservative Group	NFA	Failure to declare interest Conflict of interest Failure to carry out duties
6.	Member of the public	Conservative Group	NFA	Failure to carry out duties
7.	Member of the public	Conservative Group	NFA	Failure to declare interest Conflict of Interest Failure to carry out duties
8.	Member of the public	Conservative Group	NFA	Failure to carry out duties
9.	Member of the public	Independent Group	NFA	Failure to carry out duties
10.	Member of the public	Conservative Group	NFA	Failure to carry out duties
11.	Councillor	Burnham Market	Complaint withdrawn	Being offensive
12.	Councillor	Methwold	Discontinued as subject member resigned	Disrespect – Councillor towards officer Social media – bullying – Councillor towards officer Disrespect – Councillor towards member of the public
13.	Councillor	Methwold	Discontinued as subject member resigned	Bullying – Councillor towards officer

## Appendix A – Standards Committee Report – 22/23 Complaints

				<p>Social media – bullying – Councillor towards officer</p> <p>Disrespect – Councillor towards member of the public</p> <p>Disrespect – Councillor towards Councillor</p>
14	Councillor	Methwold	Discontinued as subject member resigned	<p>Social media - Disrespect – Councillor towards Officer</p> <p>Bullying – Councillor towards officer</p> <p>Bringing Council into disrepute</p> <p>Social media – bullying – Councillor towards officer</p> <p>Disrespect – Councillor towards member of the public</p>
15	Councillor	Methwold	Discontinued as subject member resigned	<p>Bringing Council into disrepute</p> <p>Disrespect – Councillor towards member of the public</p> <p>Bullying – Councillor towards Councillor</p> <p>Social media – bullying – Councillor towards officer</p> <p>Misuse of position</p>
16	Councillor	Methwold	Discontinued as subject member resigned	<p>Disrespect – Councillor towards Councillor</p> <p>Discrimination (Equality Act)</p> <p>Bringing Council into disrepute</p>
17	Member of the public	Methwold	Informal resolution – recommend civility	<p>Disrespect - Councillor towards member of the</p>

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				public
18	Member of the public	Independent Group	Informal resolution – recommend civility	Disrespect - Councillor towards member of the public
19	Councillor	Outwell	NFA	Disrespect - Councillor towards member of the public
20	Councillor	Castle Acre	NFA	Being offensive
21	Councillor	Hunstanton TC	Informal resolution – recommend civility	Disrespect - Councillor towards member of the public Being offensive Bringing Council into Disrepute
22	Councillor	Brancaster	NFA	Disrespect – Councillor towards Councillor
23	Councillor	Burnham Market	NFA	Compromising impartiality of officers Breach of confidentiality Conflict of interest Failure to carry out duties
24	Councillor	Downham Market TC	Informal resolution – recommend civility	Disrespect – Councillor towards Councillor Disrespect – Councillor towards Officer
25	Councillor	Downham Market TC	Informal resolution – recommend civility	Disrespect – Councillor towards Councillor
26	Member of the public	Independent Group	NFA	Disrespect – Councillor towards Member of the Public Pre-determination
27	Councillor	Brancaster	Informal resolution – recommend civility	Disrespect – Councillor towards Officer
28	Councillor	Brancaster	Informal resolution – recommend civility	Disrespect – Councillor towards Officer



## Appendix A – Standards Committee Report – 22/23 Complaints

29	Councillor	Conservative Group	Informal resolution – advice provided	Failure to declare interests Misuse of position
30	Councillor	Burnham Market	NFA	Disrespect – Councillor towards Councillor Compromising impartiality of officers Breach of Confidentiality Conflict of Interest Misuse of position

**TABLE 2 – COMPLAINTS GROUPED BY CATEGORY**

17

Key table							
<b>BCID</b>	Bringing Council into Disrepute	<b>BCTC</b>	Bullying – Councillor towards Councillor	<b>BCTO</b>	Bullying – Councillor towards Officer	<b>BOC</b>	Breach of Confidentiality
<b>BO</b>	Being Offensive	<b>CIOO</b>	Compromising Impartiality of Officers	<b>COI</b>	Conflict of Interest	<b>DCTC</b>	Disrespect – Councillor towards Councillor
<b>DCTO</b>	Disrespect – Councillor towards Officer	<b>DCTP</b>	Disrespect – Councillor towards Member of the Public	<b>DEQ</b>	Discrimination – Equality Act	<b>FTCD</b>	Failure to Carry out Duties
<b>FTDI</b>	Failure to Declare Interest	<b>MOCR</b>	Misuse of Council Resources	<b>MOP</b>	Misuse of Position	<b>PD</b>	Pre-determination
<b>SMBO</b>	Social Media – Bullying - Councillor towards Officer	<b>SMDO</b>	Social Media – Disrespect - Councillor towards Officer	<b>SMDP</b>	Social Media – Disrespect - Councillor towards member of the public		

**TABLE 2 – COMPLAINTS GROUPED BY CATEGORY CONTD**

No.	BCID	BCTC	BCTO	BOC	BO	CIOO	COI	DCTC	DCTO	DCTP	DEQ	FTCD	FTDI	MOCR	MOP	PD	SMBO	SMDO	SMDP
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No.	BCID	BCTC	BCTO	BOC	BO	CIOO	COI	DCTC	DCTO	DCTP	DEQ	FTCD	FTDI	MOCR	MOP	PD	SMBO	SMDO	SMDP
1								X											
2									X										
3													X						
4												X							
5							X					X	X						
6												X							
7							X					X	X						
8												X							
9												X							
10												X							
11					X														
12									X	X							X		
13			X					X		X							X		
14	X		X							X							X	X	
15	X	X								X					X		X		
16	X							X			X								
17										X									
18										X									
19										X									

## Appendix A – Standards Committee Report – 22/23 Complaints

No.	BCID	BCTC	BCTO	BOC	BO	CIOO	COI	DCTC	DCTO	DCTP	DEQ	FTCD	FTDI	MOCR	MOP	PD	SMBO	SMDO	SMDP
20					X														
21	X				X					X									
22								X											
23				X		X	X					X							
24								X	X										
25								X											
26																X			X
27									X										
28									X										
29													X	X					
30				X		X	X	X							X				
<b>Total</b>	4	1	2	2	3	2	4	7	5	8	1	8	4	1	2	1	4	1	1

## Appendix A – Standards Committee Report – 22/23 Complaints

**TABLE 3 – COMPLAINTS GROUPED BY SUBJECT GROUP/PARISH**

Borough Council

<b>Conservative Group</b>	<b>Independent Group</b>	<b>Labour Group</b>
9	4	0

Parishes

<b>Parish</b>	<b>Number of Complaints</b>
Methwold	6
Brancaster	3
Burnham Market	3
Downham Market	2
Castle Acre	1
Hunstanton	1
Outwell	1

**TABLE 4 – COMPLAINTS GROUPED BY COMPLAINANT**

<b>Councillor</b>	<b>Member of the Public</b>	<b>Officer</b>
19	10	1

## Appendix A – Standards Committee Report – 22/23 Complaints

**TABLE 5 – COMPLAINTS GROUPED BY OUTCOME**

<b>Outcome</b>	<b>Number of Complaints</b>
No Further Action	14
Informal resolution – recommend civility	7
Discontinued – subject member resigned	5
Informal resolution – advice provided	2
Informal resolution – apology requested	1
Complaint Withdrawn	1

**STANDARDS COMMITTEE REPORT**

REPORT TO:	Standards Committee		
DATE:	4 December 2023		
MEETING DATE	18 December 2023		
TITLE:	Parish Council Support in relation to the Standards regime		
REPORT AUTHOR:	Monitoring Officer		
OPEN/EXEMPT		WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

**REPORT SUMMARY**

<b>PURPOSE OF REPORT/SUMMARY:</b>
To place before Members a range of options to increase support for Parish Councils in relation to the Standards regime.
<b>KEY ISSUES:</b>
<p>Within the Council’s Corporate Strategy 2023-2027, it states as follows with regards to the priority of ‘<i>Efficient and Effective Delivery of our Services</i>’:</p> <p><i>“Expand our support to help parish councils with governance and to attract new members”</i></p> <p>The Monitoring Officer recognises that a significant proportion of standards complaints have an underlying governance dispute from which the conduct complained of ultimately originates. It is anticipated that providing earlier support to Parish Councils on the standards regime will prove symbiotic to resolving governance issues, thereby improving the culture of Parish Councils. The ultimate result of this will hopefully be Parish Councils being able to attract new Members.</p> <p>The number of Parish Councillor complaints for 2023-2024 is almost double that received during the whole of 2022-2023 (thirty-two and seventeen respectively.) Sixteen out of the seventeen Parish Councillor complaints in 2022-2023 came from fellow Parish Councillors.</p> <p>The split of Parish Council complainants so far for the thirty-two 2023-2024 Parish Council complaints is seven from fellow Parish Councillors and twenty-five from members of the public.</p> <p>It is hoped that by providing frontloaded support to Parish Councils, this will result in significantly reduced numbers of formal complaints, thereby saving the Borough Council the resource of its officers (including significant proportions of time of the Morning Officer and Deputy Monitoring Officer) which can be deployed elsewhere.</p>
<b>RECOMMENDATIONS:</b>
<ol style="list-style-type: none"> <li>1. To consider proposing to the Leader of the Council that ‘Member Champions for Civility in Public Life’ be appointed under the ‘<i>Local Protocol – Member Champions</i>’ to act as one option of support to Parish Councils that request assistance with standards related matters.</li> <li>2. That the Monitoring Officer set up an online ‘forum’ for all Parish Council Clerks within the Borough to attend to discuss how to promote and maintain high standards of conduct by members within their authority.</li> </ol>

3. That the Monitoring Officer set up an online 'forum' for all Parish Council Chairs within the Borough to attend to discuss how to promote and maintain high standards of conduct by members within their authority.
4. That the Monitoring Officer in conjunction with the Chair of Standards Committee offer a one-day training event to Parish Councillors and their clerks at the King's Lynn Town Hall. Such training to be repeated once during every term after local government elections.

**REASONS FOR RECOMMENDATIONS:**

To fulfil the Standard Committee's functions in relation to the promotion and maintenance of high standards of conduct by Councillors and co-opted members.

## **REPORT DETAIL**

### **1. Background**

- 1.1 Within the Council's Corporate Strategy 2023-2027, it states as follows with regards to the priority of '*Efficient and Effective Delivery of our Services*':

*"Expand our support to help parish councils with governance and to attract new members"*

- 1.2 The Monitoring Officer recognises that a significant proportion of standards complaints have an underlying governance dispute from which the conduct complained of ultimately originates. It is anticipated that providing earlier support to Parish Councils on the standards regime will prove symbiotic to resolving governance issues, thereby improving the culture of Parish Councils. The ultimate result of this will hopefully be Parish Councils being able to attract new Members.
- 1.3 The number of Parish Councillor complaints for 2023-2024 is already double that received during the whole of 2022-2023 (thirty-two and sixteen respectively.) Fifteen out of the sixteen Parish Councillor complaints in 2022-2023 came from fellow Parish Councillors. The split of Parish Council complainants so far for the thirty-two 2023-2024 Parish Council complaints is seven from fellow Parish Councillors and twenty-five from members of the public.
- 1.4 It is hoped that by providing frontloaded support to Parish Councils, this will result in significantly reduced numbers of formal complaints, thereby saving the Borough Council the resource of its officers (including significant proportions of time of the Morning Officer and Deputy Monitoring Officer) which can be deployed elsewhere.

### **2 Issues for the Panel to Consider**

In relation to the recommendations to the Standards Committee:

- 2.1 *To consider proposing to the Leader of the Council that 'Member Champions for Civility in Public Life' be appointed under the 'Local Protocol – Member Champions' to act as one option of support to Parish Councils that request assistance with standards related matters.*
- 2.1.1 The Council's '*Local Protocol – Member Champions*' is attached for Members' reference as Appendix A. It is proposed that new Member Champions could be appointed for '*Civility in Public Life*' under this Protocol; to reflect the Local Government Association's campaign on the same name.
- 2.1.2 The Member Champions would receive specific training from the Monitoring Officer and/or the Local Government Association in relation to the concept of '*Civility in Public Life*'. The Member
- 2.1.3 It is anticipated that the appointed Champions would each be designated Parishes in the Borough, and where those Parish Councils requested, the Member Champions would attend Parish Council meetings, both informal and formal, to champion the issue of Civility in Public Life.



- 2.1.4 It would be proposed that Member Champions be appointed in the 2024-2025 municipal year to allow time for necessary changes to be made to the Local Protocol to clarify that '*Member Champions for Civility in Public Life*' would be accountable to the Chair of Standards Committee rather than through the executive and that travel expenses would be approved under the Members Allowance Scheme for attending Parish Council meetings.
  - 2.1.5 Standards Committee Members would need to be mindful that if they were involved in the chronology to a formal Code of Conduct complaint, they would be conflicted from sitting on a Hearing Panel, were the matter to progress to that stage.
  - 2.1.6 Member Champions could establish links with Norfolk Association of Local Councils to act in conjunction to support Parish Councils experiencing standards related issues.
- 2.2 *That the Monitoring Officer set up an online 'forum' for all Parish Council Clerks within the Borough to attend to discuss how to promote and maintain high standards of conduct by members within their authority.*
- 2.2.1 The proposal is that a six weekly 'forum' via Teams be set up, with an invite to all Parish Council Clerks to discuss the generalities of how to promote and maintain high standards of conduct by members within their authority. This could be in the form of policies, procedures, advice, etc.
  - 2.2.2 It would be necessary to set rules of the forum so that names and specific details of complaints were not discussed to protect confidentiality and the impartiality of the Monitoring Officer. The Deputy Monitoring Officer undertakes the assessments of Parish Council complaints therefore there would not be a direct conflict in relation to the Monitoring Officer discussing with Parish Councils Clerks the generalities of potential complaints.
  - 2.2.3 The effect of the forum would hopefully for Parish Council Clerks to also make networking links to support each other at a more local level.
- 2.3 *That the Monitoring Officer set up an online 'forum' for all Parish Council Chairs within the Borough to attend to discuss how to promote and maintain high standards of conduct by members within their authority.*
- 2.3.1 See above at 2.2.1 to 2.2.3 – replacing Parish Council Clerks for Parish Council Chairs.
- 2.4 *That the Monitoring Officer in conjunction with the Chair of Standards Committee offer training to Parish Councillors and their clerks at the King's Lynn Town Hall, across as many days as the uptake necessitates. Such training to be repeated once during every term after local government elections.*
- 2.4.1 Parishes are responsible for their own training and have their own statutory duty to promote and maintain high standards of conduct by its members.
  - 2.4.2 However, undertaking a day of training devoted towards how a complaint is handled, the process through to a potential Standards Committee hearing and the financial impact on the Borough Council in relation to dealing with complaints will provide Parish Councillors with a more informed basis of the standards regime from the Borough Council's perspective.

### **3 Financial Implications**

Member Champions would not receive a Special Responsibility Allowance.

Expenses in relation to travel to Parish Council meetings are proposed to be approved by the Standards Committee under the Members Allowance Scheme, Appendix B:

*(vi) conferences, seminars or meetings approved by the appropriate Committee or Board and open to all members, the prime purpose of which is either to discuss matters relating to the interests and functions of the Council or inhabitants of the Borough, or to assist Members to understand and carry out their duties more effectively*

The financial impact of additional travel claims should be assessed after one year of operation of Member Champions.

In terms of officer time, there would be additional resource required from the Monitoring Officer to facilitate the forums and training, however this would need to be monitored as whether it is offset from the resource currently required to process Code of Conduct complaints, which currently involves every officer within the legal team save the Property Solicitor.

### **4 Any other Implications/Risks**

An effective standards regime forms part of the Council's Code of Corporate Governance. The Department for Levelling Up, House and Communities has recognised the 'Culture' of a local authority as one of the seven themes of good practice for running an authority that meets and delivers best value. The culture of a local authority is determined by its shared values, ethics and beliefs, how decisions are made, as well as how elected members and officers behave, interact and carry out their roles. The standards regime supports the process of monitoring the culture of the Borough Council and its Parishes, enabling all respective authorities to take action to address Councillor behaviour and thereby improve the culture of the organisation.

### **5 Equal Opportunity Considerations**

None arising out of this report.

### **6 Environmental Considerations**

None arising out of this report.

### **9. Consultation**

Chair of Standards Committee.

Meeting of the Leader open to all Parish Councils held at the King's Lynn Town Hall on 3 October 2023.

### **10. Conclusion**

Members are requested to consider the ways in which support to Parish Councils on the standards regime could be considered within the budgetary framework of the Council.

### **11. Background Papers**

None

# **Local Protocol – Member Champions**

## **Contents**

1. Introduction.
2. Appointment of Member Champions
3. Role of Member Champions
4. The Parameters of the Champion Role
5. Cabinet Members – Working Relations
6. Accountability
7. Training
8. Attendance at Seminars/Conferences
9. Allowances
10. Interests
11. Dispute Mechanism

Annex 1 - Possible Roles of Member Champions

## **Local Protocol – Member Champions**

### **1. Introduction**

1.1 Member champions are elected members who act as an advocate or spokesperson for a specific area of the Council's business. The main responsibility of each member champion is to encourage communication and positive action over the issue they represent.

### **2. Appointment of Member Champions**

2.1 The Leader is responsible for appointing member champions. Any member of the Council may be member champion, including the Leader. The Council currently has the following member champions:

- (a) Armed Forces
- (b) Coast
- (c) Disabilities
- (d) Heritage

2.2 Member champions will generally be appointed following the whole local government elections that take place every four years and will normally be expected to serve for the period of his/her term of office to ensure some stability in the role. However, an appointment may be made during the four year period to any new position that is established or to a position where there is a vacancy. The appointments made by the Leader must be communicated in writing to the Chief Executive.

2.3 Any appointment should have due regard to the suitability for the role and relevant national and local guidance.

2.4 A member champion may be removed from office at any time by the Leader by written notice to the Chief Executive.

2.5 Any member champion may resign from office by giving written notice to the Leader and the Chief Executive.

### **3. Role of Member Champions**

3.1 All member champions will have a job description setting out their respective roles. These will be developed in consultation with the Leader and the champion concerned. Examples of possible roles for champions that may be appropriate to include in a job description are set out in Annex 1 to this protocol.

### **4. The Parameters of the Member Champion Role**

4.1 All member champions must act reasonably in their role and recognise and work effectively within the political management and working arrangements adopted by the Council.

**4.2 A champion cannot make decisions (unless the champion is a Cabinet Member with delegated authority) and must not commit the Council in any way or in a manner that could be interpreted as being contrary to established policy and practice. They may, however, confirm a position as stated in a published policy.**

### **5. Cabinet Members – Working Relationship**

5.1 The first point of liaison on all relevant issues for the Member Champion will be through the Cabinet Member/Leader.

5.2 Cabinet Members will normally:

- (a) acknowledge the right of champions to be consulted on matters relating to their area of interest;
- (b) take full account of any views offered by champions prior to any decision taken (by a Cabinet member with delegated authority) on matters within their area of interest;
- (c) co-operate with champions in the formulation of any action plans they have agreed with the relevant Cabinet Member; and
- (d) in liaison with the Leader consider nominating the relevant champion to represent the Council at a relevant conference/seminar on the subject matter of the champions interest.

## **6. Accountability**

6.1 At the beginning of each municipal year, each member champion may agree with the relevant Cabinet member and officers a programme of activity, with SMART (specific, measurable, achievable, realistic, time-bound) targets, taking into account the Council's priorities.

6.2 The Member Champion will report into their Cabinet Member regularly and in consultation with them into the Member's bulletin on at least an annual basis to keep the Council updated on their work.

## **7. Training**

7.1 All member champions will normally have the opportunity to attend appropriate training courses contained in the Council's Member Development Programme.

## **8. Attendance at Seminars and Conferences**

8.1 The attendance by member champions at conferences/seminars relevant to their roles will only be approved following consultation with the Leader in consultation with the Democratic Services Manager. When approved, expenses may be claimed.

## **9. Allowances**

11.1 None of the member champions are entitled to receive a Special Responsibility Allowance (SRA) for carrying out their role.

## **10. Interests**

10.1 Member Champions are reminded to ensure any interests they may have are declared at all appropriate points.

## **11. Dispute Mechanism**

11.1 In the event that a dispute arises in relation to the operation of this protocol such dispute must be referred to the Chief Executive whose decision on the dispute shall be final. The parties to any dispute are expected to provide the Chief Executive (or any person nominated by him to determine the dispute) such information as he may reasonably require to make a decision on the dispute.

## Annex 1

### **Possible Roles of Member Champions**

The following examples of roles for member champions may be appropriate to include in their Terms of Reference:

- (a) To champion the adopted policy of this Council for the relevant theme;
- (b) To promote their area of interest both within and outside the Council;
- (c) To contribute to the review and development of policies pertaining to the area of interest;
- (d) To act as a critical friend and question the Council and Cabinet Members on issues affecting their area of interest;
- (e) To attend meetings of the Council, its Committees and the Cabinet and speak on issues (when permitted by the Chairman) relevant to their area of interest;
- (f) To monitor the Forward Plan and seek information from the relevant cabinet members and officers about forthcoming business and exert influence on behalf of the interest in consultation with the relevant Cabinet Member;
- (g) To monitor overview and scrutiny plans and activity and seek information and offer views on relevant review subjects and exert influence on behalf of the interest;
- (h) To seek to place appropriate items on member meeting agendas;
- (i) To keep other councillors up-to-date with activities relevant to the area of interest;
- (j) To keep up-to-date with current developments;
- (k) To provide positive support, and on occasions, constructive challenge to Members and officers in driving forward the Council's agenda on relevant issues; and
- (l) Following the approval of the Leader(and Cabinet Member), to act as the Council's representative on relevant external bodies where Council representation is required and approved.