



**NOTTINGHAM CITY COUNCIL**  
**STANDARDS COMMITTEE**

**Date:** Wednesday, 2 October 2019

**Time:** 2.00 pm

**Place:** LH 0.06 - Loxley House, Station Street, Nottingham, NG2 3NG

**Councillors are requested to attend the above meeting to transact the following business**

**Corporate Director for Strategy and Resources**

**Contact:** Nancy Barnard **Direct Dial:** 0115 8764312

- 1 APPOINTMENT OF VICE CHAIR**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF INTEREST**
- 4 MINUTES** 3 - 4  
Minutes of the meeting held on 12 December 2018, for confirmation.
- 5 THE ROLE OF THE STANDARDS COMMITTEE AND THE INDEPENDENT PERSON** 5 - 24
- 6 COUNCILLOR COMPLAINTS - UPDATE** 25 - 28
- 7 COMMITTEE ON STANDARDS IN PUBLIC LIFE - FINDINGS OF THE REVIEW INTO LOCAL GOVERNMENT ETHICAL STANDARDS** 29 - 38
- 8 DATE OF NEXT MEETING**  
To agree a date in March 2020 for the next scheduled meeting of the Committee

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT [WWW.NOTTINGHAMCITY.GOV.UK](http://WWW.NOTTINGHAMCITY.GOV.UK). INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

**NOTTINGHAM CITY COUNCIL**

**STANDARDS COMMITTEE**

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 12 December 2018 from 10.00 am - 10.10 am**

**Membership**

Present

Councillor Leslie Ayoola  
Nigel Cullen  
Councillor Ginny Klein  
Councillor Andrew Rule  
Councillor Wendy Smith  
Councillor Chris Tansley (Chair)  
Councillor Sam Webster (minute 4 onwards)

Absent

Councillor Neghat Khan  
Councillor Jane Urquhart

**Colleagues, partners and others in attendance:**

Nancy Barnard - Governance Manager  
Malcolm Townroe - Director of Legal and Governance and Monitoring Officer

**1 APOLOGIES FOR ABSENCE**

Councillor Neghat Khan – Other Council Business  
Councillor Jane Urquhart – Work Commitments

**2 DECLARATIONS OF INTEREST**

None.

**3 MINUTES**

The minutes of the meeting held on 22 March 2018 were agreed as a correct record and were signed by the Chair.

Nancy Barnard, Governance Manager, informed the Committee that Social Media training was to be included as a mandatory element of the training programme for new and returning councillors following Council elections in May 2019.

**4 AMENDMENTS TO THE COUNCILLOR AND CO-OPTED MEMBER CODES OF CONDUCT**

Nancy Barnard, Governance Manager, introduced the report to the Committee explaining that the Codes had been reviewed to ensure they were fit for purpose in advance of the Council elections in May 2019. Two amendments had been proposed in order to reflect Councillors' responsibilities in relation to equality and diversity and

to clarify the need to declare Other Interests in relation to individual delegated decisions as well as in relation to meetings.

**RESOLVED to recommend the proposed changes to Council for approval, subject to the following amendments:**

- (1) to include all protected characteristics in the section on equalities;**
- (2) to reword the proposed amendment on Other Interests to ensure it is easily understandable.**

## **5 COMPLAINTS AGAINST COUNCILLORS - UPDATE**

Malcolm Townroe, Director of Legal and Governance and Monitoring Officer, introduced the report which updated the committee on progress in dealing with existing complaints made about Councillors and new complaints made since the last update to the Committee in March 2018. Several cases are under investigation including some complex cases which are taking some time to resolve. The majority of cases are resolved informally.

**RESOLVED to note the update.**

**STANDARDS COMMITTEE – 02 OCTOBER 2019**

<b>Title of paper:</b>	The Role of the Standards Committee and the Independent Person	
<b>Director(s)/ Corporate Director(s):</b>	Malcolm Townroe, Director of Legal and Governance and Monitoring Officer	<b>Wards affected: All</b>
<b>Report author(s) and contact details:</b>	Nancy Barnard, Governance and Electoral Services Manager <a href="mailto:nancy.barnard@notinghamcity.gov.uk">nancy.barnard@notinghamcity.gov.uk</a> 0115 876 4312	
<b>Other colleagues who have provided input:</b>		
<b>Date of consultation with Portfolio Holder(s) (if relevant)</b>	N/A	
<b>Relevant Council Plan Key Theme:</b>		
Strategic Regeneration and Development		<input checked="" type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input type="checkbox"/>
Jobs, Growth and Transport		<input type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b> This report outlines the role of the Standards Committee and of the Independent Person in the Standards process for the benefit of councillors who are new to this Committee.		
<b>Recommendation(s):</b>		
<b>1</b>	Note the information contained within this report outlining the role of this Committee and the Independent Person.	
<b>2</b>	Note the Council's agreed Councillor and Co-opted Member Code of Conduct, the Committee's Terms of Reference and those of the Standards (Hearings) Sub-Committee, attached as Appendices A, B and C.	
<b>3</b>	Note the Councillor Complaints Procedure attached as Appendix D.	

**1 REASONS FOR RECOMMENDATIONS**

- 1.1 As there are a significant number of councillors who are new to the Committee this year this reports seeks to ensure the Committee is familiar with its role and that of the appointed Independent Person.

## **2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

2.1 The Localism Act 2011 abolished the previous Standards regime, including the Standards Board for England and required Councils to adopt a revised Code of Conduct for Councillors and Co-opted Members and to manage complaints that a Councillor or Co-optee has breached the Code locally.

2.2 Nottingham City Council's Code, as adopted by Full Council, is consistent with the principles of:

- a) selflessness,
- b) integrity,
- c) objectivity,
- d) accountability
- e) openness,
- f) honesty, and
- g) leadership.

All Councillors agree to abide by the Code of Conduct on their assumption of office and uphold its principles for the duration of their term. A copy of the Code is attached as Appendix A for information.

2.3 The Standards Committee is responsible for upholding and developing the Code of Conduct, for the Council's ethical standards framework more generally and for monitoring and managing complaints that Councillors or co-opted members have breached the Code of Conduct. The Committee's Terms of Reference are attached as Appendix B for information.

2.4 If a complaint is received that a Councillor or Co-opted Member has breached the Code, the Council has a duty to manage that complaint. This Committee agreed the current complaints procedure in June 2017 and the procedure is attached as Appendix D for information. The procedure seeks to ensure complaints are dealt with fairly and consistently. It emphasises informal resolution where possible and appropriate.

2.5 Dealing with complaints that a Councillor or Co-optee has breached the Code of Conduct is the responsibility of the Council's Monitoring Officer. Under the procedure s/he may take the complaint through a series of steps, both informal and formal, to try to resolve the complaint prior to it, if necessary, being formally investigated and, if necessary, reaching a hearing at Standards Committee. The Monitoring Officer will inform the relevant Group Whip and the Independent Person (and may consult the Independent Person) as the case progresses.

2.6 If the complaint cannot be resolved informally, the Monitoring Officer will refer the complaint to the Standards Committee or the Standards (Hearings) Sub-Committee (Terms of Reference attached as Appendix C). The committee or sub-committee will meet within 28 days of the referral being made and will consider a report prepared by the Monitoring Officer outlining the facts of the complaint and the action taken to date. The councillor or co-opted member who is the subject of the complaint and the complainant will be invited to attend the meeting to present submissions. Witnesses may also be invited.

2.7 The Committee or sub-committee will determine, on the balance of probability, whether the subject of the complaint has breached the Code of Conduct. In the event of a breach, it will determine whether and what action to take against the subject of

the complaint. Decisions of the Standards Committee and the sub-committee will be published on the Council's website. Actions that can be taken are outlined in paragraph 38 of the complaints procedure.

### **The Independent Person**

- 2.8 Legislation requires the Council to appoint an Independent Person to support the Monitoring Officer and the Committee or sub-committee in the consideration of complaints, providing an independent perspective on the matters under consideration. Council appointed Nigel Cullen to this position in 2017.
- 2.9 The Independent Person can be consulted informally by the Monitoring Officer throughout the operation of Complaints Procedure. The subject of the complaint can also consult the Independent Person during the process, for example on how the issue might be resolved.
- 2.10 If the complaint reaches the stage of a formal hearing the Committee or the sub-committee must seek and take into account the views of the Independent Person on the case. The Independent Person will be invited to the hearing meeting to present his views and to inform discussions that take place there.

### **3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

This report is provided for information therefore no other options were considered.

### **4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

This report is for information so there are no financial implications.

### **5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

This report is for information so there are no legal or procurement implications.

### **7 EQUALITY IMPACT ASSESSMENT**

- 7.1 Has the equality impact of the proposals in this report been assessed?  
No ☒  
An EIA is not required because this report does not propose any change in Council policy.

### **8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

None

### **9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

Localism Act 2011

Report to Council May 2017

Report to the Standards Committee meeting held in June 2017

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'Co-opted member' means any person who is a member of any committee or sub-committee of the Council but is not one of its elected members.

## **1. Application**

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Nottingham City Council, including:

- 1.1 at formal meetings of the Council, its Committees and Sub-Committees, the Executive Board and its Committees and Sub-Committees;
- 1.2 when acting as a representative of the Council;
- 1.3 in making any decision as a Portfolio Holder or a Ward Councillor;
- 1.4 in discharging your functions as a Ward Councillor;
- 1.5 at briefing meetings with colleagues;
- 1.6 at site visits; and
- 1.7 when corresponding with the Council other than in a private capacity.

## **2. Principles**

The principles underpinning this Code of Conduct are that you will act with:

Selflessness  
Integrity  
Objectivity  
Accountability  
Openness  
Honesty  
Leadership  
Respect for others  
A commitment to uphold the law

## **3. General Conduct**

You must:

- 3.1 provide leadership to the Council and the communities within its area, by personal example;
- 3.2 respect others and not bully any person;
- 3.3 recognise that colleagues (other than political assistants) are employed by and serve the whole Council;
- 3.4 respect the confidentiality of information which you receive as a member:
  - (a) not disclosing confidential information to third parties unless required to do so by law or where there is a clear and over-riding public interest in doing so; and

- (b) not obstructing third parties' legal rights of access to information;
- 3.5 not misconduct yourself in a manner which is likely to bring the Council into disrepute;
- 3.6 use your position as a member in the public interest and not for personal advantage;
- 3.7 accord with the Council's reasonable rules on the use of public resources for private and political purposes;
- 3.8 exercise your own independent judgement, taking decisions for good and substantial reasons:
  - (a) attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups;
  - (b) paying due regard to the advice of colleagues, and in particular to the advice of the statutory officers; and
  - (c) stating the reasons for your decisions where those reasons are not otherwise apparent;
- 3.9 account for your actions, particularly by supporting the Council's scrutiny function; and
- 3.10 ensure that, as far as within your powers, the Council acts within the law.

#### **4. Disclosable Pecuniary Interests**

You must:

- 4.1 comply with the statutory requirements to register, disclose and withdraw from participating in any matter in which you have a Disclosable Pecuniary Interest;
- 4.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your Disclosable Pecuniary Interests;
- 4.3 verbally declare the existence and nature of any Disclosable Pecuniary Interest at any meeting you attend where an item of business which affects or relates to the subject matter of that interest is to be considered, at or before that item of business is considered or as soon as you are aware of the interest;
- 4.4 'Meeting' means any meeting organised by or on behalf of the Council, including:
  - (a) any meeting of the Council, or a Committee or Sub-Committee of Council;
  - (b) any meeting of the Executive Board and any of its Committees or Sub-Committees;
  - (c) in taking a decision as a Ward Councillor or as a Leader or a Portfolio Holder;
  - (d) at any briefing by colleagues; and
  - (e) at any site visit to do with business of the Council;
- 4.5 unless you have the benefit of a current and relevant dispensation in relation to the matter being considered you must:
  - (a) not participate, or participate further, in any discussions of the matter at the meeting;
  - (b) not participate in any vote, or further vote, taken on the matter at the meeting;

- and
  - (c) remove yourself from the meeting while any discussion or vote takes place on the matter;
- 4.6 where you are able to discharge a function of the Council acting alone and you are aware that you have a Disclosable Pecuniary Interest in a matter being dealt with, or to be dealt with, by you in the course of discharging that function, you must:
  - (a) not take any steps, or further steps, in relation to the matter (except for the purpose of enabling someone other than you to deal with the matter); and
  - (b) notify the Monitoring Officer (in writing) of that Disclosable Pecuniary Interest within 28 days of becoming aware of the interest if the interest is not already entered in the register and has not already been notified to the Monitoring Officer.

## **5. Other Interests**

- 5.1 In addition to the requirements of Paragraph 4, if you attend a meeting where any item of business is to be considered and you are aware that you have an 'Other Interest' in that item, you must verbally declare the existence and nature of that interest at or before that item of business is considered or as soon as you are aware of the interest;
- 5.2 you have an "Other Interest" in an item of business of the authority if it not a Disclosable Pecuniary Interest, and:
  - (a) you are, or ought reasonably to be, aware that a decision in relation to an item of business to be transacted might reasonably be regarded as affecting your wellbeing or financial position, or the wellbeing or financial position of a member of your family or a person with whom you have a close association, to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of your ward or the Council's administrative area, or
  - (b) it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code in respect of a member of your family (other than a 'relevant person'\*) or a person with whom you have a close association, or
  - (c) a reasonable member of the public, with knowledge of all the circumstances, would consider that you have an interest which would prejudice your judgement if you were involved in making any decision on that item of business;

\* your spouse or civil partner, a person you are living with as husband or wife, or a person you are living with as if are civil partners.

- 5.3 you are not required to notify the Monitoring Officer of 'Other Interests' for inclusion in the register. However, you are required to declare that interest and act in accordance with paragraphs 4.5 or 4.6 above.

## **6. Sensitive Interests**

- 6.1 You must notify the Monitoring Officer of the details of sensitive interests but these details will not be included in any published version of the register;
- 6.2 if you have a sensitive interest you are required to declare that you have an interest to meetings (as required by paragraph 4.3 and 5.3 of this Code) but the detail of the

interest need not be declared.

## **7. Gifts and Hospitality**

- 7.1 You must, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the Council within 28 days of receipt;
- 7.2 the Monitoring Officer will place your notification on a public register of gifts and hospitality;
- 7.3 this duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Council for this purpose.

## **8. Disclosure and Barring Service Checks**

- 8.1 You shall co-operate fully with any Disclosure and Barring Service checks (at whatever level) required under Council policies and practices or as required or requested by an appropriate officer of the Council (being the Corporate Director for Children and Adults and the Monitoring Officer). Any Councillor:
  - (a) who has not complied with the requirement to have a DBS check within one month of being elected; or
  - (b) who fails to maintain a valid DBS check; or
  - (c) whose check discloses matters which may present a risk to children and vulnerable adults (in the opinion of the Corporate Director for Children and Adults and the Monitoring Officer);is disbarred from all offices and membership of committees, sub committees, panels or outside bodies.

## **9. Safeguarding**

- 9.1 Notwithstanding the generality of the previous provisions of this Code, you will comply with the following requirements specific to Council functions concerning children, young people and vulnerable and elderly adults;
- 9.2 you must, at all times, act in your office with particular regard to, and supporting, the duties of the Council with respect to children, young people and vulnerable and elderly adults;
- 9.3 you must not obstruct, nor seek to obstruct the effective performance of the Council's functions concerning children, young people and vulnerable and elderly adults nor, improperly, seek to influence the outcome of any decision taken, or to be taken, in relation to children, young people, or vulnerable or elderly adults, nor seek preferential treatment for any such person;
- 9.4 you must carry out, or attend any training events or courses designated by the Corporate Director for Children and Adults as mandatory for Councillors and co-opted members.

## **Standards Committee**

- (a) To promote and maintain high standards of conduct by Councillors and co-opted members;
- (b) to advise the Council on the adoption or revisions of its Code of Conduct, to monitor its operation and to assist Councillors and co-opted members in observing it;
- (c) to agree the local arrangements for the investigation of allegations that the Code of Conduct has been breached, and arrangements under which decisions on allegations can be made;
- (d) to arrange training and advice for Councillors and co-opted members on matters relating to the Council's Code of Conduct, and related probity issues;
- (e) to receive annual reports from the Monitoring Officer relating to complaints under the Code of Conduct, the Confidential Reporting Code and any other matters relating to conduct and propriety;
- (f) to consider reports and recommendations from the District Auditor relevant to the Code of Conduct and related probity issues;
- (g) to hear cases under the Council's procedure for dealing with complaints about Councillors' and co-opted members' conduct;
- (h) to make recommendations regarding the settlement of cases of maladministration;
- (i) to keep under review and make recommendations on the content of the Code of Conduct for colleagues and protocols in connection with Councillor/colleague relations;
- (j) granting dispensations to Councillors and co-opted members in relation to the Code of Conduct, as permitted by legislation;
- (k) to review the operation of the Council's Confidential Reporting Code and make recommendations for any changes to it;
- (l) to respond to consultation exercises carried out by government and other agencies on issues related to the work of the Committee;
- (m) to consider any other matters referred to it by the Monitoring Officer;
- (n) granting and supervising exemptions from political restriction.

The Committee is accountable to Council and has 8 members (politically balanced).

The Committee meets as and when required.

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### **Standards Hearings Sub Committee – Terms of Reference**

- a) To hear cases in accordance with the Council's procedure for dealing with complaints about Councillors' and co-opted members' conduct;
- b) to decide whether to uphold complaints made against Councillors and Co-opted Members having first considered the views of the Council's Appointed Independent Person;
- c) to determine what action to take based upon the outcome of the hearing.

The Sub Committee is accountable to the Standards Committee.

The Sub Committee has 5 members (politically balanced) who must be members of the Standards Committee.

The quorum for the Sub Committee is 3.

If a single case is heard over more than one meeting, the same Sub Committee members must be present at all meetings. If exceptional circumstances mean this is not possible the Monitoring Officer will decide how to proceed.

The Committee meets as and when required.

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## **Procedure for Considering Complaints Alleging a Breach of Nottingham City Council's Councillors' and Co-opted Members' Code of Conduct**

### **Introduction**

1. This procedure outlines how Nottingham City Council will manage complaints made against Councillors or voting co-opted members alleging they have breached the Council's Code of Conduct. The Councillors' and Co-opted Members' Code of conduct is available on the Council's website at <http://documents.nottinghamcity.gov.uk/download/3526> or on request from reception at Loxley House, Station Street, Nottingham, NG2 3NG.
2. The person making the complaint will be referred to as "the complainant" and the person against whom the complaint is made will be referred to as "the subject member".
3. The Council's Monitoring Officer (MO) is responsible for dealing with complaints under this procedure but may delegate responsibility for carrying out any of the functions listed below to any other appropriate colleague.

### **Making a Complaint**

4. Complaints must be submitted in writing to:

Councillor Complaints  
Constitutional Services  
Nottingham City Council  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

[councillor.complaints@nottinghamcity.gov.uk](mailto:councillor.complaints@nottinghamcity.gov.uk)

5. The complaint must include:
  - a) the complainant's name and contact details,
  - b) the name(s) of the councillor or co-opted member to whom the complaint relates,
  - c) what the complainant is alleging the subject member has done which breaches the Code of Conduct,
  - d) what resolution the complainant is seeking,
  - e) where necessary, details of why the complainant believes their name and/ or details of the complaint should not be shared with the subject member. Such requests will only be granted in exceptional circumstances.

A form is available on the Council's website for the purpose of submitting complaints but provided the complaint contains the above information, complaints not using the form will be considered.

6. The MO will acknowledge the complaint within five working days of receipt.

### **Additional Information**

7. If the complainant has provided insufficient information to enable the MO to assess the complaint the MO may ask the complainant to provide further details. The MO may also carry out informal enquiries such as obtaining documents or requesting information from the subject member or the complainant. These enquiries do not amount to a formal investigation. If the complainant does not provide further information, the complaint may be rejected.

### **Confidentiality**

8. It will be usual practice for the MO to inform the subject member of the name of the complainant and the details of the complaint. The MO will consider requests for anonymity but these will only be granted in exceptional circumstances. If the MO decides to refuse a request for anonymity the complainant will be given the opportunity to withdraw their complaint prior to the subject member being informed.

### **Criminal Conduct**

9. If the complaint identifies criminal conduct by the subject member, including any allegation that the subject member has failed to disclose a disclosable pecuniary interest, the MO has the power to refer the matter to Nottinghamshire Police.

### **Stage 1 – Initial Filtering**

10. Following receipt of a complaint the MO will first review the complaint to decide whether it meets the essential criteria for consideration under this procedure. These criteria are:
  - a) The complaint must be about a current councillor or co-opted member of the City Council,
  - b) The subject member must have been in office at the time of the alleged misconduct,
  - c) The subject member must have been acting, or giving the impression that they are acting in their official capacity at the time of the alleged misconduct,
  - d) The aspect of the Code of Conduct the complaint alleges has been breached must have been in force at the time of the alleged misconduct,
  - e) If the complaint were proven, it would result in a breach of the Code of Conduct.

11. If the complaint fails to meet one or more of these criteria the MO will reject it and will inform the complainant of this decision. The MO does not need to inform the subject member or the Independent Person of the complaint prior to reaching a decision at this stage.

## **Stage 2 - Assessment**

12. A complaint which meets the above criteria will then be considered by the MO to determine whether the complaint should be investigated, dealt with informally or rejected. The MO may choose to consult the Independent Person in reaching a decision.
13. The MO will consider the following when deciding how to deal with the complaint:
- a) Is the complaint trivial, vexatious, malicious or politically motivated?
  - b) Does the complaint refer to alleged incidents which happened so long ago that there would be little benefit in taking action now?
  - c) Is an investigation likely to be able to reach a firm conclusion, for example, is there likely to be sufficient evidence to enable a firm conclusion to be reached?
  - d) Has the complaint, or a substantially similar complaint, been subject to a previous investigation leaving nothing to be gained from further investigation?
  - e) Does the complaint indicate a wider problem throughout the authority?
  - f) Has the subject member already made sufficient and reasonable attempts to remedy the issues raised by the complainant?
  - g) Is the complaint sufficiently trivial that the resources required to investigate it are disproportionate to the allegations meaning there is no public interest in carrying out an investigation?
14. Having reached a decision the MO will write to:
- a) the subject member,
  - b) their group whip (if relevant),
  - c) or their group leader (if the complaint relates to the group whip),
- to inform them that a complaint has been made, the nature of the allegations and his/ her decision as to how to proceed.
- d) the independent person
- to advise him/ her that a complaint has been received and of the MO's decision as to how to proceed.
- e) the complainant
- to advise of his/ her decision as to whether/ how the complaint will proceed.
15. There is no appeal process for decisions taken by the MO.

16. The number of complaints submitted but not investigated and the reasons why they were not investigated will be provided to the Independent Person and the Chair of the Standards Committee every six months for monitoring purposes.

### **Stage 3 - Informal resolution**

17. The MO will decide whether a case is appropriate for seeking informal resolution. Where appropriate, the MO, in conjunction with the relevant group whip and/ or leader, will provide the subject member with a reasonable timescale within which to attempt to resolve the complaint informally (usually this will be 28 calendar days). The MO will inform the subject member that they may contact the Independent Person for advice on how to respond to the complaint and will advise them of the Independent Person's role.
18. Informal resolution might include the subject member:
  - a) Providing an explanation of the circumstances surrounding the complaint,
  - b) Offering an apology,
  - c) Agreeing to participate in relevant training and/ or mentoring,
  - d) Engaging in a process of mediation or conciliation, or
  - e) Taking any other action capable of resolving the complaint informally.
19. Before deciding upon a course of action the subject member may seek guidance from their Group Whip/ Group Leader, the Independent Person, and/or the MO. The Independent Person can provide advice to the subject member on the severity of the complaint and what form of resolution they would consider appropriate. Providing this guidance will not prevent the Independent Person from giving their view to the Standards Committee about the complaint at a later stage.
20. Where the subject member makes a reasonable offer of informal resolution which is accepted by the complainant no further action will be taken in relation to the complaint. The MO will write to both parties confirming the informal resolution that has been reached and stating that no further action will be taken. The MO will inform the Independent Person and the relevant Group Whip/ Leader of the outcome.
21. Where the subject member makes a reasonable offer of resolution but the complainant is not willing to accept that offer, or where no offer of informal resolution is made, the MO will decide whether the complaint should be taken to the Formal Investigation stage of this process.
22. There will be no appeal process for decisions taken by the Monitoring Officer at this stage.

## **Stage 4 – Formal Investigation**

23. If the MO decides that the complaint warrants formal investigation he/ she will appoint an investigating officer (IO). The IO will be another officer of the authority, an officer of another authority or an external investigator.
24. The IO will gather information from such parties as he/she sees fit, interviewing them where considered appropriate and will gather any other relevant information to establish the facts of the incident(s). Based upon the evidence, the IO will produce a report and will send copies to the complainant and the subject member for comment. Taking into account any comments received the IO will send his/ her final report to the MO.
25. Where the IO concludes that there is no evidence of a failure to comply with the Code of Conduct and the MO is satisfied that the report is sufficient the MO will share a copy of the final report to the complainant and the subject member, will confirm that no breach of the Code has been found and will confirm that no further action will be taken. If the MO is not satisfied with the IO's report he/ she may ask the IO to revisit the report or in exceptional circumstances, appoint a new IO.
26. Where the IO concludes that the Code of Conduct has been breached, the MO, where satisfied with the report, will decide whether to refer the complaint for Local Resolution or proceed to a Hearing of the Standards Committee. The MO will write to the complainant, the subject member, the Independent Person and the relevant Group Whip/ Leader to inform them of his/ her decision.

## **Stage 5 – Local Resolution**

27. At this stage, the MO may decide that the complaint can be resolved without the need for a hearing. In such a case, he/she will consult with the Chair of the Standards Committee, the Independent Person and the complainant to establish what resolution the complainant would consider fair. Such resolutions could include the subject member:
  - a) Providing an explanation of the circumstances surrounding the complaint,
  - b) Offering an apology,
  - c) Agreeing to participate in relevant training and/ or mentoring,
  - d) Engaging in a process of mediation or conciliation, or
  - e) Taking any other action capable of resolving the complaint.
28. If the subject member complies with the resolution, the MO will inform the complainant and will report the matter to all members of the Standards Committee and the Independent Person but will take no further action. If the subject member does not accept the resolution the MO will refer the matter to the Standards Committee.

## **Stage 6 – Standards Committee**

29. The MO will arrange for a meeting of the Standards Committee (or a sub-committee of the Standards Committee if appropriate) to take place, usually within 28 days of the decision to refer the matter to this Committee. The MO will prepare a report for the Committee containing a summary of the complaint, the IO's report, any further written statements from the complainant and the subject member in response to the IO's report, and any efforts already made to resolve the matter informally.

30. The following people will be invited to attend the Committee meeting:

- a) The complainant,
- b) The subject member,
- c) Any witnesses identified by the complainant and the subject member,
- d) The Group Whip/ Leader (if relevant), and
- e) The Independent Person.

The IO may also be invited to attend the meeting to respond to questions about their report. The complainant and subject member may choose to be represented and/ or accompanied at the meeting. If they choose to do so, they must inform the MO of who will be attending the meeting.

31. The MO will also attend the meeting in order to present their report and a member of the Council's Constitutional Services Team will attend as clerk to the meeting.

32. After initial consideration of the MO's report, the Committee may receive brief submissions from the following parties:

- a) The complainant,
- b) The subject member, and
- c) Any witnesses called by the complainant or the subject member,
- d) The IO.

33. The Committee may ask questions of anyone present at the meeting in order to reach a conclusion on the complaint.

34. Before reaching a final decision on the complaint, the Committee must seek, and take account of, the views of the Independent Person in relation to the complaint.

35. The Committee must decide upon the following issues:

- a) Whether the subject member has failed to comply with the Councillors' and Co-opted Members' Code of Conduct,
- b) Whether further action is needed, and
- c) What form of action is appropriate.

36. If the Committee concludes that, on the balance of probabilities, there was no breach of the Councillors and Co-opted Members' Code of Conduct, no further

action will be taken under this procedure. The Committee may still make recommendations to the authority relating to promoting and maintaining high standards of conduct in general, and as arising out of specific issues relating to the case it has considered.

37. If the Committee concludes that, on the balance of probabilities, the Councillors' and Co-opted Members' Code of Conduct has been breached, the Committee must consider whether action should be taken in respect of the subject member, and what form of action to take.
38. The actions available to the Committee are:
  - a) Censuring the subject member via a formal letter from the Chair of the Standards Committee,
  - b) Formal censure by a motion of full Council,
  - c) Recommending to the relevant Group Whip that the subject member is removed from any committee, sub-committee or outside body,
  - d) In the case of co-opted members or un-grouped councillors, recommending to Full Council or the relevant committees that the subject member is removed from any committee or sub-committee,
  - e) In relation to members of the executive, recommending to the Leader, that the subject member is removed from the Executive,
  - f) Recommending that the Monitoring Officer arranges appropriate training for the subject member,
  - g) Requiring the withdrawal of Council facilities from the subject member e.g. use of computer or internet, office facilities and officer support,
  - h) Excluding the subject member from the Council's offices or other premises except for the purpose of attending formal meetings.

Where a breach is found, the Standards Committee's Decision Notice will be published on the Council's website.

39. The Committee may also make general recommendations to the MO requesting that action is taken to promote and maintain high standards of conduct within the Council. Recommendations may include proposed changes to internal procedures and practices or training for Councillors and/ or voting Co-optees in general.
40. Within five working days of the meeting the Chair of the Committee will write to the complainant and the subject member explaining the final decision of the Committee and detailing any recommendations made.
41. There will be no right of appeal against a decision of the Committee. If the complainant feels that the Council has failed to deal with the complaint properly, he/she may complain to the Local Government Ombudsman.

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**STANDARDS COMMITTEE – 2 OCTOBER 2019**

<b>Title of paper:</b>	Councillor Complaints – Update	
<b>Director(s)/ Corporate Director(s):</b>	Malcolm Townroe, Monitoring Officer	<b>Wards affected:</b> All
<b>Report author(s) and contact details:</b>	Nancy Barnard, Governance Manager <a href="mailto:Nancy.barnard@nottinghamcity.gov.uk">Nancy.barnard@nottinghamcity.gov.uk</a> 0115 876 4312	
<b>Other colleagues who have provided input:</b>	None	
<b>Date of consultation with Portfolio Holder(s) (if relevant)</b>	N/A	
<b>Relevant Council Plan Key Theme:</b>		
Strategic Regeneration and Development		<input checked="" type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input type="checkbox"/>
Jobs, Growth and Transport		<input type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>		
The Committee has a role in monitoring complaints that Councillors or Co-opted Members have breached the Code of Conduct. This report provides, for information, a summary of complaints made about Councillors that have been resolved informally since the last update.		
<b>Recommendation:</b>		
<b>1</b>	That the Committee considers and notes the monitoring information.	

**1 REASONS FOR RECOMMENDATIONS**

- 1.1 The terms of reference of the Standards Committee require the Monitoring Officer to submit a monitoring report on complaints made against councillors and co-opted members to inform any work the Committee might carry out in relation to Councillor Standards and the Code of Conduct.

**2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

- 2.1 Appendix A to this report summarises the nature and outcome of complaints made against councillors since the last update. None of the complaints reached the formal stage of consideration, all were resolved informally. All complainants are offered the opportunity to escalate the complaint if they are not satisfied with the outcome. No complaints have been escalated since the last update.

- 2.2 Any ongoing complaints concerning individuals who, following the election, are no longer Councillors have been closed as complaints must relate to current councillors.
- 2.3 The Committee is asked to note the information contained in the appendix.

### **3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

- 3.1 The Committee's terms of reference place a responsibility on the Committee to consider a Monitoring Officer report on Councillor Complaints. Therefore no other options were considered.

### **4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

- 4.1 There are no financial implications to this report

### **5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

- 5.1 There are no legal or procurement implications to this report.

### **6 EQUALITY IMPACT ASSESSMENT**

- 6.1 Has the equality impact of the proposals in this report been assessed?

No ☒

An EIA is not required because the report does not propose a change to council policy or service.

### **7 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

- 7.1 None

### **8 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

- 8.1 None

<b>Date complaint received</b>	<b>Summary of Allegations</b>	<b>Action Taken</b>	<b>Outcome of Complaint</b>
16/08/18	Concern about an alleged breach of confidence.	Investigation closed.	Complaint dropped by complainant
08/11/18	Complaint about behaviour of a Councillor when meeting a constituent at their home.	Investigation paused	Investigation paused
06/03/19	Complaint that two Councillors failed to respond appropriately to a complaint.	Investigated – evidence of appropriate response from the councillors to the complainant. Complaint closed.	No further action
02/07/19	Complaint that a Councillor failed to respond appropriately to constituent regarding casework.	Investigated – Councillor acknowledged a miscommunication and slower response than usual and apologised. Apology sent to Constituent. Complaint closed.	No further action

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**STANDARDS COMMITTEE – 2 OCTOBER 2019**

<b>Title of paper:</b>	Committee on Standards in Public Life – Findings of the Review into Local Government Ethical Standards	
<b>Director(s)/ Corporate Director(s):</b>	Malcolm Townroe, Director of Legal and Governance and Monitoring Officer	<b>Wards affected:</b> All
<b>Report author(s) and contact details:</b>	Nancy Barnard, Governance and Electoral Services Manager <a href="mailto:nancy.barnard@nottinghamcity.gov.uk">nancy.barnard@nottinghamcity.gov.uk</a> 0115 876 4312	
<b>Other colleagues who have provided input:</b>		
<b>Date of consultation with Portfolio Holder(s) (if relevant)</b>	N/A	
<b>Relevant Council Plan Key Theme:</b>		
Strategic Regeneration and Development		<input checked="" type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input type="checkbox"/>
Jobs, Growth and Transport		<input type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>		
In the Spring of 2018 the Committee for Standards in Public Life (CSPL) conducted a review of ethical standards in local government. The review included a consultation exercise to which this committee responded. The CSPL has now published its findings which include 26 recommendations predominantly to Central Government and 15 Best Practice Items for Local Authorities to consider adopting. This report outlines the Committee's findings and invites the Committee to consider how the Best Practice Items could be adopted in Nottingham.		
<b>Recommendation(s):</b>		
<b>1</b>	That the Committee considers adopting the best practice items as outlined in Appendix A to this report.	

**1 REASONS FOR RECOMMENDATIONS**

- 1.1 To promote good practice and high ethical standards for Nottingham City Council.

**2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)****2.1. The CSPL Review**

On 29 January 2018 the Committee on Standards in Public Life (CSPL) announced a review of ethical standards in local government. The Committee considered, amongst other matters, codes of conduct, declarations of interest, and the sanctions that can be taken in the event the code is found to have been breached.

- 2.2. The current Standards regime was introduced under the Localism Act 2011. The Standards Board for England which had previously dealt with serious allegations relating to councillor conduct was abolished and Local Authorities were given responsibility for writing and maintaining their own codes of conduct and complaints procedures and for dealing with complaints that the code had been breached. Under the previous regime sanctions such as withdrawal of allowances, suspension from office and removal from office could be taken by the Standards Board in the most serious of cases. Sanctions such as these are not available to local authorities under the current regime.
- 2.3. The Localism Act 2011 also introduced the role of the Independent Person to Standards proceedings. All local authorities are required to appoint an Independent Person to support their Standards Committee. The Independent Person must be consulted and their views taken into account before the authority takes a decision in relation to any complaints made against councillors or co-optees. The review also examines the role of the Independent Person.
- 2.4. The review was undertaken in response to concerns being raised that the abolition of the Standards Board for England “threw the baby out with the bathwater”, leaving councils with inadequate sanctions to take against Councillors found to have seriously breached Codes of Conduct. This Committee agreed a response to the consultation at its meeting on 22 March 2019.
- 2.5. **Review Findings**  
The CSPL concluded their review and published their findings. The full report is available on the CSPL’s Website: <https://www.gov.uk/government/collections/local-government-ethical-standards>. The CSPL concluded that there was little appetite to return to the previous centralised system and that Council’s were managing complaints that Councillors had breached Codes of Conduct effectively. The CSPL also concluded that the vast majority of Councillors behaved ethically with only a very small number responsible for serious or persistent breaches of ethical standards.
- 2.6. The CSPL did make a number of recommendations for changes to legislation and other significant changes. These included:
- The production of a new model code of conduct;
  - The abolition of the criminal offence of non-declaration of pecuniary interests;
  - The reintroduction of powers to suspend councillors in serious cases;
  - The introduction of a maximum terms of two years for the Independent Person, renewable once.
- The Government has not yet responded to the Committee’s findings.
- 2.7. In addition to the formal recommendations the Committee also identified 15 Best Practice Items directed at Local Authorities which the CSPL expects Councils “can and should” adopt. The 15 Items are set out in Appendix One together with some analysis of how far the practice is already in place in Nottingham and whether further action is required.
- 2.8. Adopting some of the Best Practice Items will require amendment of the Council’s Code of Conduct for Councillors and Co-opted Members. This document forms part of the Council’s Constitution and therefore any amendments will require approval by Council before they can be adopted.

### **3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

- 3.1 Not to consider the Committee's findings – this would risk practice in Nottingham being below the expected standard.

### **4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)**

- 4.1 There are no financial implications to this report.

### **5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

- 5.1 This report has no legal or procurement implications.

### **6 EQUALITY IMPACT ASSESSMENT**

- 6.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required as this report does not involved significant changes to council policy or services.

### **7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

- 7.1 None

### **8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

- 8.1 Reports to and minutes of the meeting of the Standards Committee held on 22 March 2018

The Review of Local Government Ethical Standards conducted by the CSPL:  
<https://www.gov.uk/government/collections/local-government-ethical-standards>.

The Council's Code of Conduct for Councillors and Co-opted Members:  
<http://documents.nottinghamcity.gov.uk/download/3526>

The Council's procedure for managing complaints that a councillor or co-opted member has breached the Code of Conduct:  
<https://www.nottinghamcity.gov.uk/your-council/about-the-council/councillors-and-leadership/councillor-conduct/>

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### Best Practice Items Identified in the CSPL Report and Proposed Nottingham City Council (NCC) Response

No.	Best Practice Item	Proposed NCC Response
1.	Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.	<p><b><u>Analysis</u></b> NCC Code of Conduct does include prohibitions on bullying and has recently been amended to include equalities considerations as well. It does not include definitions or examples.</p> <p><b><u>Proposal</u></b> If Councillors felt this were necessary the Code could be amended to include definitions of bullying and harassment.</p>
2.	Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.	<p><b><u>Analysis</u></b> There is no explicit provision in the NCC Code requiring councillors to comply with a formal investigation or prohibiting trivial or malicious allegations by councillors.</p> <p>The Council's agreed procedure for managing complaints against councillors includes a filtering process where the Monitoring Officer considers whether the complaint is "trivial, vexatious, malicious or politically motivated". If it is found to be so it may be rejected by the Monitoring Officer without investigation. This applies to all complaints, including those made by Councillors therefore specific provision in the Code is not considered to be necessary.</p> <p><b><u>Proposal</u></b> Amend the Code to require councillors to comply with formal investigations into breaches of the Code.</p>

No.	Best Practice Item	Proposed NCC Response
3.	Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.	<p><b><u>Analysis</u></b> The Code of Conduct has been reviewed once since the current version was adopted in 2015 and provisions relating to Equality and Diversity were incorporated.</p> <p><b><u>Proposal</u></b> Bring the Code of Conduct to the first meeting of the Standards Committee of each Municipal Year for review.</p>
4.	An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.	<p><b><u>Analysis</u></b> NCC's Code of Conduct is available on the website as part of the Constitution. There is also a separate page on Councillor Conduct with details of the complaints procedure and an online form for submitting a complaint which links to the Code of Conduct. Copies are available on request at Loxley House reception. Recent redesign of the website has moved the page on Councillor conduct to a less prominent position.</p> <p><b><u>Proposal</u></b> Move the Councillor Conduct page to a more prominent position on the website.</p>
5.	Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.	<p><b><u>Analysis</u></b> Individual Gift and Hospitality registers for each councillor are published on the corresponding councillor pages of the Council's website. The registers are updated whenever Constitutional Services are notified of a new entry for the register and a revised version is published. Councillors are required to declare Gifts and Hospitality within 28 days of receipt.</p> <p><b><u>Proposal</u></b> No action required.</p>

No.	Best Practice Item	Proposed NCC Response
6.	Councils should publish a clear and straightforward public interest test against which allegations are filtered.	<p><b><u>Analysis</u></b> NCC's complaints procedure includes an assessment stage part of which is a public interest test: "Is the complaint sufficiently trivial that the resources required to investigate it are disproportionate to the allegations meaning there is no public interest in carrying out an investigation?" The Monitoring Officer can decide not to investigate at this stage if there is no public interest in doing so.</p> <p><b><u>Proposal</u></b> No action required.</p>
7.	Local authorities should have access to at least two Independent Persons.	<p><b><u>Analysis</u></b> NCC has appointed an Independent Person. In circumstances where the Independent Person was unable to act, an Independent Person would be sought from a neighbouring authority.</p> <p><b><u>Proposal</u></b> No action required.</p>
8.	An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.	<p><b><u>Analysis</u></b> The complaints procedure requires the Monitoring Officer to contact the Independent Person to advise him/ her of his/ her decision as to how to proceed when a valid complaint is received.</p> <p><b><u>Proposal</u></b> No action required</p>

No.	Best Practice Item	Proposed NCC Response
9.	Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.	<p><b><u>Analysis</u></b> No complaints made to NCC to date have required formal investigation or escalation to the Standards Committee for decision. If a formal investigation was required the Council's complaints procedure states that the decision notice will be published on the Council's website. There is no description of what should be published as part of the decision notice.</p> <p><b><u>Proposal</u></b> Amend the complaints procedure to list the information recommended by the CSPL is included with the decision notice on publication.</p>
10	A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.	<p><b><u>Analysis</u></b> NCC's complaints procedure, including the process and timescales, is available on the website together with an online form for submitting complaints. Hard copies of the form can be requested and submitted by post.</p> <p><b><u>Proposal</u></b> No action required.</p>
11.	Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.	Not applicable to Nottingham
12.	Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.	Not applicable to Nottingham

No.	Best Practice Item	Proposed NCC Response
13.	A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.	<p><b><u>Analysis</u></b> Where the Monitoring Officer is unable to act the Deputy Monitoring Officer can carry out all duties in relation to a case. If neither were able to act, Monitoring Officer support would be sought from neighbouring authorities.</p> <p><b><u>Proposal</u></b> No action required.</p>
14.	Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.	<p><b><u>Analysis</u></b> Governance of the NCC Group of companies is currently under review. This best practice item will be considered as part of this review.</p> <p><b><u>Proposal</u></b> To be considered as part of the review of NCC company governance.</p>
15.	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.	<p><b><u>Analysis</u></b> The Monitoring Officer liaises closely with Group Whips when a case is investigated. Regular reports are taken to Standards Committee on complaints made against councillors.</p> <p><b><u>Proposal</u></b> No action required.</p>

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