



**North Tyneside Council**

# Standards Committee

Thursday 28 March 2024

**Thursday, 4 April 2024** 0.01 Chamber – Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY commencing at 6.00 pm.

<b>Agenda Item</b>	<b>Page</b>
<b>1. Apologies for Absence</b>	
To receive apologies for absence.	
<b>2. Appointment of Substitute Members</b>	
To be notified of the appointment of any Substitute Members.	
<b>3. Declarations of Interest and Dispensations</b>	
You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
You are also invited to disclose any dispensations in relation to any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.	
Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer	

If you need us to do anything differently (reasonable adjustments) to help you access our services, including providing this information in another language or format, please contact [democraticsupport@northtyneside.gov.uk](mailto:democraticsupport@northtyneside.gov.uk).

<b>Agenda Item</b>	<b>Page</b>
before leaving the meeting.	
<b>4. Minutes</b>	<b>5 - 8</b>
To confirm the minutes of the Standards Committee meeting held on 30 November 2023.	
<b>5. Annual Report of the Standards Committee - 2023-2024</b>	<b>9 - 26</b>
To introduce the Standards Committee Draft Annual Report for 2023-24 for consideration by the Committee prior to its finalisation and submission to the Annual Council meeting on 16 May 2024.	

**Circulation overleaf ...**

## **Members of the Standards Committee**

Councillor Frank Lott (Chair)

Councillor Lewis Bartoli

Councillor Debbie Cox

Councillor Wendy Lott

Councillor Tracy Hallway (Deputy  
Chair)

Councillor Brian Burdis

Councillor Eddie Darke

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## Standards Committee

**Thursday, 30 November 2023**

Present: Councillor F Lott (Chair)  
Councillors T Hallway, B Burdis, D Cox, E Darke and  
W Lott

Apologies: Councillors L Bartoli and C Burdis

### **SC4 /23      Declarations of Interest and Dispensations**

There were no declarations or dispensations reported.

### **SC5 /23      Minutes**

**RESOLVED:** That the minutes of the Standards Committee meeting held on 6 July 2023 be agreed.

### **SC6 /23      Invitation to Guests: Communication and Media Team**

The Committee was informed that a representative of the Communication and Media Team was unable to attend the meeting on this occasion.

### **SC7 /23      Review of Social Media Training for Elected Members**

The Committee received a report outlining the recent training provided to elected members on the use of social media by an external training provider and feedback of attendees.

It was noted that the 2023-24 Action Plan/Work Programme for Standards Committee included an action to support and promote an external training session for all elected members on the use of social media and the risks. The purpose of the training was to promote high standards of conduct.

The social media training had been delivered on 29<sup>th</sup> November 2023 and the course had been designed at the request of and following consultation with the Chair of Standards Committee and the Monitoring Officer.

The Monitoring Officer was in attendance at the meeting and provided some feedback from attendees on the course. Two sessions had been delivered, one in the afternoon and one in the evening. Thirteen members attended across the two sessions. Feedback from the training was positive and members commented that they would feel more confident using social media going forward.

The Chair asked if the possibility of repeating the training could be explored.

It was **agreed** to note the contents of the report.

## **SC8 /23            Monitoring Officer Review and Update**

The Committee received a report from the Monitoring Officer which provided his observations with Standards Committee following 7 months of being in post. The report also provided an update on the Monitoring Officer's review of the Authority's Code of Conduct and Local Arrangements following the Local Government and Social Care Ombudsman's report into the management of a Code of Conduct Complaint at Teignbridge District Council.

The report identified that, since coming into post, it has been a priority for the Monitoring Officer to gain a through knowledge of the standards and governance matters which arose in the Authority in recent years, including the allegations of breaches of the code of conduct and the decisions taken. In all cases reviewed, the Monitoring Officer noted that all decisions had been taken properly, reflecting the facts of those cases, the law and the relevant case law.

The Committee was informed that, following 7 months in the role, the Monitoring Officer is of the view that the ethical governance arrangements within the Authority are fit for purpose in so far as they relate to the conduct of elected members. The Annual Governance Statement Update 2022-2023 which was presented to Audit Committee on 31 May 2023 concluded that there were no significant governance issues identified and that on the whole, the governance arrangements in operation during 2022/23 within the Authority were adequate.

The Committee was provided information relating to a report published by the Local Government and Social Care Ombudsman on 21 December 2022 which upheld a complaint against Teignbridge District Council. The complaint had been made by a Councillor who alleged that the Council was at fault as it failed to follow due process when investigating alleged breaches of its code of conduct for elected members. The report provided a reminder to all local authorities of good practice and the importance of following correct procedure.

In view of this widely reported case, the then Monitoring Officer had requested a review of North Tyneside Council's policy, process and practices in connection with standards complaints. The internal review provided the Chair of Standards Committee and the Monitoring Officer an assurance as to current procedures within the Authority.

A Councillor thanked the Monitoring Officer for the support he had provided since his appointment. He also made reference to changes to the Local Government Association model Code of Conduct and model procedures. The Monitoring Officer thanked the Councillor for his comments and stated that changes to the models provided by the Local Government Association would be reviewed and reported back through to the Committee where changes to the Authority's Code of Conduct or Local Arrangements were necessary.

It was **agreed** to note the contents of the report.

## **SC9 /23            Action Plan 2023-24**

The Committee received an update on the Action Plan/Work Programme of the Standards

Committee for 2023/24, as adopted by the Committee at its meeting on 6 July 2023.

It was noted that the Action Plan is monitored by the Committee at each meeting and the progress of the identified actions will be reported in the Committee's Annual Report to full Council at the end of the municipal year.

It was noted that one of the actions in the plan was to support the establishment of regular meetings of the 3 Independent Persons together with the Monitoring Officer and the Chair and Deputy Chair of the Committee. A meeting had been arranged for 11 December 2023.

It was **agreed** to note the contents of the report.

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## North Tyneside Council Report to Standards Committee Annual Report 2023–2024

**Date: 4 April 2024**

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**Report from Service Area: Law and Governance**

**Report Author: Stephen Ballantyne, Head of Law and Monitoring Officer (Tel: 643 5354)**

**Wards affected: All**

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### 1. Purpose

To introduce the Standards Committee Draft Annual Report for 2023–24 for consideration by the Committee prior to its finalisation and submission to the Annual Council meeting on 16 May 2023.

### 2. Recommendations

The Committee is requested to:

- (1) Consider and suggest any additions and amendments to the draft Annual Report 2023–24 attached at Appendix 1 as appropriate; and
- (2) Authorise the Monitoring Officer in consultation with the Chair of the Standards Committee to finalise the report, taking into account any comments received pursuant to recommendation (1) above, prior to its submission to the Annual Council meeting to be held on 16 May 2024.

### 3. Background

At the end of the municipal year the Standards Committee is required to approve the contents of a draft annual report summarising the work of the Committee over the previous year for submission to the Annual Council meeting.

The Committee is responsible for the promotion of ethical standards within the Authority, helping to secure adherence to the Members' Code of Conduct, monitoring the operation of the Code within North Tyneside, promoting and reviewing the Whistleblowing Policy for Members and conducting hearings following investigation and determining complaints made against Councillors in respect of alleged breaches of the Code of Conduct (including following requests for review).

The Standards Committee Draft Annual Report 2023-24 is attached at Appendix 1. The report sets out the work undertaken by the Standards Committee and its Sub-Committees over the municipal year.

The Committee will consider its work programme for the new municipal year 2023-24 at its first meeting of the new year in June 2023.

#### **4. Appendices**

Appendix 1 - Standards Committee Draft Annual Report 2022-23.

#### **5. Contact officers:**

Louise Watson, Senior Manager Legal Services and Registration (0191) 643 5325

John Barton, Principal Lawyer and Deputy Monitoring Officer (0191) 643 5354

Sonia Stewart, Democratic Services Manager (0191) 643 5359

#### **6. Background information:**

None.

# Standards Committee



## Annual Report 2023-24

# Chair's Foreword

As Chair of the Standards Committee, I am pleased to present the Committee's Annual Report, which outlines the work undertaken by the Committee in 2023-24.

The Standards Committee remains committed to working with and supporting Members of the Council to ensure that they respect the Code of Conduct and uphold the standards expected of those in public life.

Over the last year, the Standards Committee has continued to implement the revised Code of Conduct and the Local Arrangements for Dealing with Complaints under the Code of Conduct. The revised documents were approved by Council in 2022 and are intended to ensure clarity and provide more guidance in support of good governance and high ethical standards and to reflect best practice.

In addition, I would like to thank our Independent Persons, Mr Dan Entwistle, Mrs Kerry Roffe and Dr Stuart Green. Mr Entwistle and Mrs Roffe were appointed in July 2022 for their first term, and Dr Green was re-appointed for a further 4-year term. They have played an important role in assisting and advising on individual complaints under the Code of Conduct and in assisting the Standards Committee in support of high standards.

I would like to thank all of the Committee Members, the Independent Persons and Officers who I have worked with over this last year in relation to my role as Chair of the Standards Committee.

Councillor F Lott  
Chair of the Standards Committee

# 1. Standards Committee

## 1. Introduction

At the end of each municipal year the Standards Committee submits for the consideration of Council an annual report summarising the work the Committee has carried out during the previous year.

This report comprises the Annual Review covering the period April 2023 to March 2024, together with background information regarding the standards regime established within North Tyneside Council. All references to 2023-24 in the report refer to this time period.

## 2. Background Information

The Code of Conduct for Elected Members and Co-opted Members ('the Code' or 'The Code of Conduct')

The Localism Act 2011 requires the Authority to have a Code of Conduct. In 2012 North Tyneside Council ("the Authority") adopted a code which sets out the conduct that is expected of elected and co-opted members of the Authority when they are acting in that capacity. The Code was developed regionally between Cumbria, Durham, Gateshead, Newcastle, North Tyneside, North Yorkshire, Northumberland, South Tyneside and Sunderland councils. The Code of Conduct was revised and adopted by Council in May 2022 to reflect best practice as set out in the new Model Code of Conduct recently published by the Local Government Association.

The Code applies whenever a member (a) conducts the business of the Authority (including the business of their office as an elected member or co-opted member) or (b) acts, claims to act or gives the impression they are acting as a representative of the Authority.

'Co-opted member' means any person who is a member of any committee or sub-committee of the Authority with a right to vote but who is not one of its elected members.

The Code is intended to be consistent with Nolan's Seven Principles of Public Life and should be read in the light of those principles, namely that Authority Members will act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

### The Monitoring Officer

The Monitoring Officer holds a statutory role and is responsible for promoting and maintaining high standards of conduct and for reporting any actual or potential breaches of the law and maladministration to the full Council and/or to the Cabinet (as set out in s.5(1) of the Local Government and Housing Act 1989).

The Monitoring Officer and their team administer the local arrangements for addressing complaints made under the Code of Conduct.

The Monitoring Officer's role includes the assessment and review of every complaint received under the Code of Conduct. Following consultation with the Authority's Independent Persons and consideration of the initial comments of the subject member the Monitoring Officer decides whether the complaint will be investigated. The decision will be based on whether the allegation, if proved, would constitute a failure to observe the Code of Conduct and the application of the Authority's adopted assessment criteria.

The Monitoring Officer may also consider whether a complaint could be reasonably resolved informally and will discuss this option with the complainant and subject member where appropriate.

### Independent Persons

The Authority has appointed three Independent Person(s) who are invited to attend all meetings of the Standards Committee. The appointment of Independent Persons is determined by a meeting of Full Council.

The Independent Person(s) must be consulted by the Authority before it makes a decision on a matter that has been referred to it for investigation. They can also be consulted by the Authority in respect of a code of conduct complaint at any other stage and can also be consulted by a member or co-opted member of the Authority against whom a complaint has been made.

The Independent Persons do not form part of a quorum but may be invited to attend where considered appropriate by the Sub-Committee.

### The Standards Committee

The Standards Committee is responsible for the promotion of ethical standards within the Authority, helping to secure adherence to the Code, monitoring the operation of the Code, promoting and reviewing the Whistleblowing Policy for Members, and conducting hearings following investigation and determining complaints made under the Code.

The Standards Committee's terms of reference are set out in Part 3, Paragraph 3.5(D) of North Tyneside Council's Constitution (the Constitution).

The Committee and its Sub-Committee conduct proceedings in accordance with:

- Article 9 of the Constitution; and
- the Authority's Local Arrangements for dealing with complaints under the Code of Conduct for Members

### The Standards Sub-Committee

The Standards Sub-Committee receives and considers reports from Investigating Officers in relation to allegations of breaches of the Code.

Where a Final Report from an Investigating Officer recommends a finding that there is no breach of the Code, the Sub-Committee determines whether to accept the report; refer the report back to the Investigating Officer if it is considered incomplete; or refer the report to a hearing in accordance with the Authority's Local Arrangements for dealing with complaints under the Code of Conduct for Members.

Where a Final Report from an Investigating Officer recommends a finding that there has been a breach of the Code the Sub-Committee undertakes a hearing in accordance with the Authority's Local Arrangements for dealing with complaints under the Code.

The Standards Sub-Committee is responsible for granting dispensations to the Elected Mayor, Members and Co-opted Members from requirements relating to interests set out in the Code.

The Sub-Committee also has responsibility for undertaking such further functions of the Standards Committee as may be delegated to the Sub-Committee in respect of the handling of complaints against the elected Mayor, elected Members or Co-opted Members.

### **3. Training for Standards Committee Members**

Initial and refresher training for Members serving on the Standards Committee of the Authority is important to ensure the probity and credibility of the Authority's decision making processes. Members are required to undertake basic training through the Authority's member induction programme, on election or re-election, before they can serve on the Standards Committee. This training includes the duties and responsibilities of the Standards Committee.

Other than in exceptional circumstances, as determined in each case by the Monitoring Officer in consultation with the Mayor and Group Leaders, any Member who has not undertaken the training will not continue to serve on the Committee.

Training is also provided for the Independent Persons appointed by the Authority in order to ensure they are able to carry out their role.

### **4. Standards Committee Membership 2023-24**

In 2023-24 the Standards Committee comprised the following Members: Councillor Frank Lott (Chair), Councillor Tracy Hallway (Deputy Chair), Councillor Lewis Bartoli, Councillor Brian Burdis, Councillor Debbie Cox, Councillor Eddie Darke and Councillor Wendy Lott.

### **5. The Authority's Independent Persons**

The Authority has three Independent Persons who were appointed in July 2022 for a period of four years. The Independent Persons are Mr Dan Entwisle, Dr Stuart Green and Mrs Kerry Roffe.



## **6. Committee and Sub-Committee Meetings in 2023-24**

At the start of each year the Standards Committee usually agree its Work Programme/Action Plan for the year, which is then monitored at meetings throughout the year.

The Sub-committee agreed a Work Programme/Action Plan for 2023-24 at its meeting in June 2023. An update on the Work Programme/Action Plans is attached at Appendix 1 to this report and is commented upon further in paragraph 10 below.

The Standards Committee met on 3 occasions in 2023-24. The dates of these meetings were:

- 6 July 2023
- 30 November 2023
- 4 March 2024

The Standards Sub-Committee met on the following occasions during 2023-24:

3 July 2023 – For consideration of a Complaints Investigation Report

28 September 2023 – For consideration of a Complaints Investigation Report

1 December 2023 – For consideration of a Complaints Investigation Report

10 January 2024 – Consideration of dispensations in relation to Appointments to Outside Bodies

2 February 2024 – Initial Assessment of a Code of Conduct Complaint

## **7. Complaints under the Code of Conduct for Members and Co-opted Members**

During 2023-24, 19 complaints of potential breaches of the Code of Conduct were received.

Table 1 below details how each complaint was dealt with on assessment and provides details of the previous years to 2012-13.

**Table 1**

Local Assessment Decisions	No action	Informal resolution	Referred for Investigation	Total
2023 - 2024	18	0	0	18*
2022-23	18	0	5	23
2021-22	12	0	2	14
2020-21	3	1	0	4
2019-2020	13	4	0	17
2018-2019	10	3	2	15
2017-2018	6	2	1	9
2016-2017	4	1	0	5
2015-2016	15	0	0	15
2014-2015	13	1	10	24
2013-2014	0	0	1	1
2012-2013	11	5	1	17

\* 1 case is awaiting assessment.

## 8. Reviews of Initial Assessment Decisions

If a complainant is dissatisfied with an initial assessment decision they may seek a review. Reviews are undertaken by the Monitoring Officer in consultation with the Independent Persons and the Chair of the Standards Committee.

In 2023/24 there were 7 requests for a review of the initial assessment, 6 have been assessed and 1 is scheduled. Following the 6 that were reviewed, the original decision was upheld in each case. In addition, there was a request for a review following the outcome of a Complaints Hearing. In this circumstance the review is undertaken by an Independent Person from a neighbouring authority. Following the review the original decision was upheld.

In 2021/22 there were 3 requests for a review of the initial assessment. Following the review, the original decision was upheld in each case.

In 2020/21 there were 0 requests for a review of the initial assessment decision.

In 2019/20 there were 0 requests for a review of the initial assessment decision.

In 2018/19 there were 4 requests for a review of the initial assessment decision. Following the review, the original decision was upheld in each case.

In 2017/18 there were no requests for the review of the initial assessment decision.

In 2016/17 there was 1 request made for the review of the initial assessment decision. Following the review, the original decision was upheld.

In 2015/16, 1 request was made for a review of the initial assessment. Following the review, the original decision was upheld.

In 2014/15, 6 requests were made for a review of the initial assessment. Following the reviews, the original decisions were upheld.

In 2012/13 and 2013/14 there were no requests for the review of the initial assessment decision.

## **9. Decisions on complaints following investigation**

During 2023-24 there were 0 complaints referred for investigation. However, as set out above 3 complaints received in the Year 2022/23 were considered and determined by the Standards Sub-Committee in this municipal year.

The Standards Sub-Committee determined that in two of the complaints the subject members were in breach of the Code of Conduct for Members. The Sub-Committee in addition to finding breach, imposed sanctions on the subject members which included providing an apology and the reporting of the Sub-Committee's decision to full Council.

In relation to the third complaint the Sub-Committee accepted the report of the Independent Investigator that no breach of the Code of Conduct for Members had occurred.

## **10. Review of Standards Committee Work Programme and Action Plan for 2022–23**

The Standards Committee's Work Programme/Action Plan for 2023–24 is attached at Annex 1. Matters of particular note are summarised below:

### **Member Training**

Training has been provided for all Council Members on standards matters, including ethical governance, ethical standards issues including arrangements with respect to the Code of Conduct; granting of dispensations, the use of social media and declarations of interests.

Some member training has also been delivered in relation to Social Media by external trainers. There are also plans in place to deliver further training in 2024/25.

## **11. Conclusion**

The Committee's aim is to continue to develop and maintain the Authority's ethical governance framework for the benefit of the Authority and ultimately local people. The Committee is looking forward to the next year.

The Standards Committee Work/Action Plan up to 31 March 2024

The Standards Committee is responsible for the Authority's statutory duty to promote and maintain high standards of conduct by the Elected Mayor, Councillors and Co-opted Members. The Committee has worked to discharge this duty by undertaking the following actions:

Action	Why	By When	Progress/Action
To support the establishment of regular meetings (at least twice a year) of the 3 Independent Persons together with the Monitoring Officer Meetings to include the Chair and Deputy Chair where appropriate.	To support the development and maintenance of working relationships between the independent persons and provide a forum to discuss case law and other guidance, to discuss any concerns and ensure best practice is being followed.	By the end of the municipal year.	The Monitoring Officer and Deputy Monitoring Officers met with the Independent Persons on 11 December 2023.  A further meeting will be held on 15 April 2024.

<p>To extend a meeting invitation to guests and to seek topics of conversation from those guests in relation to ethical governance and standards. This could include the Elected Mayor, the Chief Executive, Senior Leadership Team, Group Leaders, the Chair and Deputy Chair of Council and the Chairs of the Overview and Scrutiny Committee and the Planning Committee and other Regulatory Committees.</p>	<p>To develop a dialogue between the Committee, and members and appropriate Officers relating to ethical governance and ethical standards.</p>	<p>Ongoing.</p>	<p>It has not been possible to arrange attendance in this municipal year. This action will be brought forward for next year's Work Programme.</p>
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<p>To ensure training and development is provided for the Committee on relevant ethical standards issues, including training on local assessment, the Code of Conduct and other relevant matters/cases/legislation. To include informal methods such as briefing notes and informal meetings.</p>	<p>To develop and maintain high standards of knowledge and skill.</p>	<p>By the end of the municipal year.</p>	<p>Newly elected Members were trained on the Code of Conduct for Members and Co-opted Members following the May 2023 elections. Refresher training on the Code was also provided to existed Members as required.</p>
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<p>To support and promote an external training session for all elected members on the use of social media and the risks.</p>	<p>To increase awareness of the risks and to promote high standards of conduct.</p>	<p>By the end of the municipal year.</p>	<p>A “Social Media Workshop for Members” took place on 29 November 2023. This training was provided by a specialist trainer.</p>
<p>To keep under review training available to all Council Members on ethical governance, ethical standards issues including arrangements with respect to the Code of Conduct; granting of dispensations, the use of Social Media and declaring interests.</p>	<p>To ensure all members receive information on ethical governance, ethical standards to minimise risk of unwitting breaches of the Code of Conduct.</p>	<p>By the end of the municipal year.</p>	<p>Ongoing.</p>



Continue production of Annual Standards Committee Report.	Presentation of Annual Report of the work of the Committee during the previous 12 months.	By the end of the municipal year.	Ongoing.
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