

Excerpts of the Annual Monitoring Officer's Report

The Monitoring Officer prepares an annual report which summarises the key parts of the Monitoring Officer's work from the previous financial year. The Monitoring Officer Report covered the period 1 April 2021 to 31 March 2022. This report was shared with the GRAC meeting of 27 September 2022 and can be read in full. The excerpts below are those areas of the report that are relevant to the Standards Committee so that they may be reviewed and considered in greater detail.

Additional information is provided to the Standards Committee relating to complaints received during this period and referred to in the excerpt marked (e) below. This is at Appendix 1.

Excerpts from sections 2, 3 and 4 of the Annual Report:

2.The Monitoring Officer's Work April 2021 – March 2022

<p>(c) Establish and maintain the Register of Member's interests and gifts and hospitality.</p>	<p>Members are required to provide a register of interests and keep such up to date. This is the responsibility of each individual Member, but Members are reminded about this requirement quarterly, and in April prior to the Annual Meeting.</p> <p>The Register of Members' Interests is publicised on the Council's website. The Registers are available for inspection at the Council's offices. The Council also holds the Register of Interests for Town and Parish Councils in the district.</p> <p>During some of the year 2021/2022, the country continued to experience restrictions in work, socialising and social events due to the pandemic. The Code of Conduct and guidance sets out the requirements for Members as to gifts and hospitality. There are two entries relating to gifts/hospitality for this period, listed at Appendix C.</p>
---	--

(e) Investigate misconduct in respect of District, Parish and Town Councillors under the Code of Conduct.

The Model Code of Conduct had been drafted following recommendations by the Committee on Standards in Public Life. It was designed to protect the democratic role, promote good conduct and safeguard the public's trust in local government. As with the previous Code, it is based upon the Nolan Principles and aims to be widely adopted nationally by councils.

Following its adoption by Full Council, Members received training on the new Code and a copy of the accompanying guidance to the Code. The new model Code of Conduct was adopted by Full Council in July 2021 and any complaints about Member Conduct then fell to be considered under this new Code. The Council's Protocol on Member/Officer Relations has been updated and is relevant in judging compliance with the Code of Conduct.

Between April 2021 and March 2022, a total of 23 Code of Conduct complaints were received. Twenty complaints relate to parish/town councils and four relate to the District Council (there was one complaint which covered both tiers). This compares to 20 complaints from the previous year relating to district, parish and town councils.

On receipt of a complaint about Member Conduct, the Monitoring Officer conducts an initial assessment to determine if the matter warrants any further action, such as a formal investigation. The Monitoring Officer liaises with the Council's Independent Person in this process.

The most common reason for complaints continues to be alleged bullying and disrespect to others. The majority of complaints were assessed as requiring no further action. Sometimes this has been accompanied by some informal recommendations or guidance to improve governance. Two parish council matters were referred for investigation during the year

	<p>2021/2022. The Standards Committee did not sit to consider any alleged Code of Conduct breach during this period.</p> <p>The Localism Act 2011 places significant importance on registering interests, especially disclosable pecuniary interests and Members are regularly reminded of the need to keep their register of interests up to date.</p> <p>Members have sought advice in order to comply with the Code of Conduct, including in relation to declaring interests under the Code and matters relating to dispensations. A flowchart and guidance note has been added to agenda papers for Council meetings to assist Members with information about when they may need to declare an interest.</p>
--	--

<p>(g) Provide advice to Town and Parish Councils on the interpretation of the Code of Conduct.</p>	<p>The Monitoring Officer, and her staff, have provided advice to Parish Councils, particularly via their clerks, on the Standards and Code of Conduct Arrangements during 2021/22 via telephone and email.</p> <p>The Monitoring Officer (and her staff) have provided advice and assistance to a number of parishes through interventions to raise standards and deal with complaints.</p> <p>The Town and Parish Forum meets quarterly and consists of key District Council officers, Members, in addition to clerks, parish/town Members and a representative from the Norfolk</p>
---	--

	Association of Local Councils. This provides an opportunity to provide general information relating to the Code of Conduct.
(h) Promote and support high standards of conduct through support to the Standards Committee.	<p>The Standards Committee supported the new Code of Conduct which was then adopted by Full Council. The Independent Person has provided valued input into the Code of Conduct procedures, providing an independent perspective to the Monitoring Officer, and also providing assistance to Members who have been the subject of a complaint.</p> <p>The Independent Person, having reached the end of his tenure, will be leaving the role once the Council has completed its recruitment process for two Independent Persons. It is anticipated that having two, rather than one, Independent Person will provide resilience and added support to the Standards Committee and the Council.</p>

APPENDIX C – Register of Member Gifts and Hospitality

Date	Name of Member	Person offering gift or hospitality	Description of gift/hospitality	Accepted or declined?
06.09.2021	Cllr Sarah Butikofer	High Sheriff	Reception - 6 September	Accepted
29.9.2021	Cllr Sarah Butikofer	Flagship Housing Group	Dinner in Suffolk with Overnight Accommodation - Flagship partners conference event	Accepted

3.Key Messages

3.1 The key messages to note from the year are:

- (i) The Constitution has been and will continue to be maintained and updated.
- (ii) The Whistleblowing policy has been updated.
- (iii) A new Member Code of Conduct is has been adopted by the Council and Member training on the new Code was delivered.
- (iv) The Protocol on Member/Officer Relations has been updated in the Constitution

4.Looking Forward

4.1 The key issues for 2022/2023 are as follows;

- Any actions arising from internal and external audits will need review and implementation
- The Council, through its Town and Parish Forum will look to promote adoption of the new Model Code of Conduct
- The local elections are due to take place in May 2023, with prospective candidates events taking place prior.
- The Constitution has not had a fundamental review for 10 years and such will need to be undertaken to ensure it is sufficiently clear and suitable for the present time and future.
- The advertisement and recruitment process of two Independent Persons (under the Localism Act 2011)
- The intended provision of an online updating facility for registration of Member interests
- Anticipated requirement for an Independent member to sit on the Governance Risk and Audit Committee

4.2 Code of Conduct

4.2.2 A new Member Code of Conduct has been adopted by the authority, based on the Local Government Association Model Code. Training has been provided. Members will continue to receive regular reminders to keep their register of interests up to date. An online facility for register of interest updates is planned.

APPENDIX 1

Code of Conduct Complaints – NNDC and Parish Councils from 1.4.2021 to 31.3.2022

(anonymised information)

Complaint Date	Ref No:	Complaint By	Member	Authority	Allegation	Assessment Outcome	Hearing	Outcome	Progress/DN sent
6.4.2021	017487	Miss	Cllr	Sheringham TC	Bullying and harassing behaviour	No further action	No	closed	DN sent 30.7.2021
11.5.2021	017679	Miss	Cllr	Sheringham TC	Bullying behaviour	No further action	No	closed	DN sent 30.7.2021
1.6.2021	017757	Mrs	Cllr	Wells TC	Disrespectful behaviour	No further action	No	closed	DN sent 22.7.2021
26.7.2021	018139	Mr	Cllr	Catfield PC	Abusive & disrespectful behaviour	For further investigation	No		DNs sent 8.12.2021
26.7.2021	018140	(3 MOPs)	Cllrs (x2)	Potter Heigham PC	Intimidating & bullying behaviour	No further action	No	Closed	DNs sent 22.9.2021
26.7.2021	018133	Mr	Cllrs (x2)	Potter Heigham PC	Intimidating and bullying behaviour	No further action	No	closed	DNs sent 22.9.2021
2.8.2021	018207	Cllr	Cllr	Sheringham TC	Failure to disclose a Pecuniary Interest	Subject Member to be written to as recommended by IP re failure to declare Register of Interests	No	Closed	DN sent 3.11.2021
3.8.2021	018213	Cllr	Cllr	Cromer TC & NNDC	Failing to treat people with dignity and respect	No further action	No	Closed	DN sent 3.11.2021
9.8.2021	018281	Dr	Cllr	Cromer TC	Failing to treat people with respect, libellous and defamatory comments	No further action	No	closed	DN sent 29.10.2021

27.8.2021	018468	Mr	Cllr	Hoveton PC	Bullying, harassing behaviour	Complaint Form not returned	Complaint Form not returned	closed	Complaint Form sent Complaint Form never returned.
1.9.2021	018499	Mrs	Cllr	Sutton PC	Bullying and dismissive behaviour	No further action	No	Closed	DN sent 3.11.2021
12.10.2021	018901	Dr	Cllrs (x2)	Comer TC	Online ratification of a standards decision notice breached Cromer TC's Society Social Media Policy – approach was disrespectful, unfair, improper & unlawful.	No breach – no further action	No	closed	DN sent 14.1.2022.
13.10.2021	018936	Mr & Mrs	Cllr	NNDC	Expressing a personal opinion on coastal erosion to a prospective purchaser of a property & bringing council into disrepute	No further action	No	Closed	DN sent 11.3.2022
15.10.2021	018984	Cllr	Cllrs (x2)	Sheringham TC & Upper Sheringham TC	Bullying, disrespectful behaviour through social media to include harassment, and libellous accusations.	No further action.	No	closed	DN sent 10.3.2022.
9.11.2021	019144	Cllr	Cllr	Catfield PC	1. Not declaring an interest 2. Potential bullying and disruption of meetings 3. Housing & Immigration	No breach found – no further action.	No	closed	DN sent 28.1.2022.
9.11.2021	019145	Mr	Cllrs (x2)	East Ruston PC	Conflict of interest and bullying behaviour	No further Action	No	closed	DNs sent 31.1.2022.

22.11.2021	019217	Mr	Cllr	Mundesley PC	Use of bad language, bullying, disrespectful behaviour	No breach but Subject Member warning to behave privately in a respectful manner.	No	closed	DN sent 26.1.2022
30.11.2021	019268 Jo	Ms	Cllrs (x2)	Sheringham TC	Bullying and harassment	Refer for Investigation	?	Open for investigation	DN sent 10.3.2022
14.12.2021	019309	Cllr	Cllr	Cromer Town Council	Aggressive and bullying behaviour	Informal Resolution	No	closed	DN sent 17.1.2022.
21.12.2021	019329	Cllr	Cllr	NNDC	Intimidating, harassing & bullying behaviour which is politically motivated in an attempt to gag the complainant	No breach found – No further action.	No	closed	DN sent 28.1.2022.
4.1.2022	019365	Cllr	Cllr	NNDC	Misleading advice and misguided information regarding a planning application	No breach found – No further action.	No	closed	DN sent 15.2.2022.
20.1.2022	019476 (SECOND COMPLAINT)	Cllr	Cllr	Cromer TC	Defamatory, libellous behaviour	No further action	No	closed	DN sent 10.3.2022.
17.03.2022	019825	Cllr	Cllr	Sheringham TC	Threatening, intimidating, abusive behaviour & swearing	Discontinued – Subject Member no longer a Councillor	No	closed	Cllr resigned from STC