

# Investigations – in-house or out-house?

**Sue Kembrey**, Monitoring Officer, Telford and Wrekin Borough Council

**Alan Muir**, Monitoring Officer, West Dorset District Council

**Bob Posner**, Former Monitoring Officer, London Borough of Bexley

**Chair: Jeanette Bateman**, Investigations Manager, The Standards Board for England

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**Bob Posner**, Former Monitoring Officer, London Borough of Bexley

# In-house investigations: a case study

- Political balance
- Year before local elections
- Development project – local objections
- Member alleged conflict of interests
- Three members reported to Standards Board
- Referred to monitoring officer to investigate

# Overview

- The new regulations
- No option but to deal with, and appropriately
- What factors to consider?
- Get ownership/acceptance of approach

# Issues

- The different roles for the monitoring officer
- Conflict of interest
- A plan
- Define the allegation

# Available options: taking forward the investigation

- Monitoring officer
- Deputy monitoring officer
- Another officer – chief executive, director/chief officer, head of internal audit

# Benefits

- Managing the process
- Trust and confidence
- Track record
- Less 'public'

# Investigation difficulties

- Keeping the process 'clean' and fair
- Being objective
- Sticking to the task
- In-house pressures



# Risks

- Conflicts for officers involved
- Possible overlapping roles
- Undue pressure
- Perception of investigation not being proper
- Officer impartiality compromised

# What happened in practice?

- No fundamental difficulties
- Not everybody happy
- Member perception of officers?

# Next time?

Depends upon:

- the issue
- culture of the organisation
- prevailing expectations

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**Sue Kembrey**, Monitoring Officer, Telford and Wrekin Borough Council

# Outsourced investigations: a case study

- Complaint by chief executive about a member
- Involved key members of the authority
- Reciprocal complaints submitted
- Referred to the monitoring officer to investigate

# Why outsource?

- Conflict of interest
- Insufficient staff resources
- Lack of in-house experience
- High level of complaints already being investigated locally
- Political sensitivity

# Issues

- Selection of investigator/company
- Contract – timescale for completion and cost
- Who monitors the contract?
- Role of the monitoring officer
- Relationship of monitoring officer/investigator?
- Queries from investigator
- Provision of in-house resources?

# Benefits

- Releases monitoring officer or deputy to advise standards committee
- Relationship between members and officers unaffected
- ‘Political’ advantages
- Independence



# Problems and risks

- Loss of control of the investigation
- Authority still viewed as responsible for the investigation
- Escalating costs (unless fixed fee)
- Quality of the investigation
- No knowledge of the authority

# The experience – what happened?

- Investigation – lengthy
- Cost
- Outcome?

# Lessons learned

- Choose your investigator with care
- Be clear who will receive the report for comment
- Agree costs beforehand
- Be clear on the role of the monitoring officer
- Living with the results!

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**Alan Muir**, Monitoring Officer, West Dorset District Council

# Reciprocal arrangements: a case study

- Senior member reported to Standards Board
- Also a member of the standards committee
- Chief officer alleged treating member of staff with disrespect and bringing council into disrepute
- Referred to monitoring officer to investigate

# Why use reciprocal arrangements?

- Similar to reasons previously detailed
- Conflicts of interest
- Staff resource limitations. For example, sickness, sabbatical
- High level of complaints already being investigated locally

# Issues

- Setting up a reciprocal arrangement
- How does it work?
- Costing – fixed or actual time?
- Lines of reporting
- Investigation queries

# Benefits

- Investigator has experience of local government
- Releases monitoring officer or deputy to advise standards committee
- Relationship between members and officers unaffected
- Independent process



# Difficulties and risks

- Availability – own workload and local investigations
- Complaints about how the investigation is conducted
- Loss of control of investigation

# What happened in practice?

- Referral to external monitoring officer
- Difficulties encountered
- Benefits of this approach
- Lessons learned

# Questions

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