



Monday 1 June 2009



Confidence in local democracy

## Annual return

Submitted As Final

### Summary

			show all <input checked="" type="checkbox"/>
<b><u>Section 1</u></b>	Independent overview		show <input checked="" type="checkbox"/>
<b><u>Section 2</u></b>	Standards committee - annual report		show <input checked="" type="checkbox"/>
<b><u>Section 3</u></b>	Standards committee - promoting standards		show <input checked="" type="checkbox"/>
<b><u>Section 4</u></b>	Standards committee - training		show <input checked="" type="checkbox"/>
<b><u>Section 5</u></b>	Leadership		show <input checked="" type="checkbox"/>
<b><u>Section 6</u></b>	Complaints		show <input checked="" type="checkbox"/>
<b><u>Section 7</u></b>	Member officer - relations		show <input checked="" type="checkbox"/>
<b><u>Section 8</u></b>	Registering member interests		show <input checked="" type="checkbox"/>
<b><u>Section 9</u></b>	Officer conduct		show <input checked="" type="checkbox"/>
<b><u>Section 10</u></b>	Optional questions		show <input checked="" type="checkbox"/>

### Independent overview

Does the standards committee have Terms of Reference?

Yes

What help do members receive on following the Code of Conduct?

Annual training Guidance and advice in advance of meetings and at meetings Circulation of SBE advice/bulletins Member Toolkit with Code of Conduct and associated guidance issued to all members

Does the standards committee have a forward work plan?

Yes

If yes, who outside of the standards committee is involved in agreeing the forward work plan? Please explain below.

No formal consultation but informal consultation with Chief Executive, Leader and group leaders

Is the standards committee given a role in reviewing amendments to the Authority's Constitution (or Standing Orders where appropriate)?

No

### **Standards committee meetings.**

Please use the table below to indicate how many times between 01/04/2008 and 31/03/2009 the standards committee has met and for what reasons.

<b>Reason for meeting</b>	<b>Number of times met between 01/04/2008 and 31/03/2009</b>
General meeting of whole standards committee	5
Training	7
Assessment sub-committee	7
Review sub-committee	2
Consideration meeting	3
Hearing	0
Other	0



### **Standards committee - annual report**

Does the standards committee produce an annual report on its own work?

Yes

Is the annual report received by a meeting of the full authority?

Yes

Is the annual report sent to all members?

Yes

Is the annual report sent to all senior officers?

Yes

How is the annual report publicised to the general public?

On the agenda for Annual Council Meeting - publicised to the public in usual way - copies sent to local media, put on council website etc



### **Standards committee - promoting standards**

What else does the standards committee do to communicate the role of the standards committee and the importance of high standards

internally within the authority to members and officers?

The Standards Committee Chairman and Vice-Chairman have organised a series of meetings with key figures in the council over the last year to discuss the Committee's work and be proactive at promoting high standards within the Council. They have met the Chief Executive three times, the Leader three times, each of the leaders of the other political groups once and the Chairman of Corporate Governance and Chairman of Council. They have attended all the main council meetings at least once and have spoken at each party's political group meeting once. The Committee has a web page on the Council's website and the intranet for officers with advice on the Code and how to complain easily accessible.

What else has the standards committee done to promote confidence in local democracy to the wider public?

The Committee regularly publishes an article about its work in the Council's magazine which is delivered to every household in the district. In December 2008 the Committee appointed a Profile Sub-Committee to consider how the work and profile of the Committee could be promoted and enhanced within the community. The Chairman of the Committee and some of its other Independent members have visited three parish council meetings on invitation to discuss the Committee's work.

Has the authority, or the standards committee in particular, considered how it will monitor and ensure high standards of behaviour when the authority is working in partnership with other organisations?

Yes

Please provide examples.

The Standards Committee Chairman has attended meetings at the County Council and another district council's standards committee and invited other Standards Chairmen from our neighbouring authorities to attend our Standards Committee meetings, which they have done. The Council's Partnerships Manager works with the Deputy Monitoring Officer to ensure that partnership agreements have sections on conduct and standards of behaviour built into them.



### Standards committee - training

Between 01/04/2008 and 31/03/2009, has the authority assessed the training and development needs of members in relation to their responsibilities on standards of conduct?

Yes

What training needs were identified?

District councillors - The Committee considered that as all district councillors had received two Code of Conduct training sessions in 2007 (including training on the Revised Code) and all new councillors had received individual training on the Code as part of their induction that focused training on a key problem area should be the priority for this year, namely the connection between the Code and the common law issues of pre-determination and bias. This training would also be offered to officers advising on this area. Standards Committee training - it was a priority to train on the new assessment process (the Committee had taken part in the pilot process on local assessment in July 2007 and had identified what preparations were necessary at an early stage) and to train new independent and parish members of the committee. Training for the officers implementing the system was also included in this. Parish Council training - The Committee also considered the most effective way of delivering training to the parish councils within its district and started organising (along with the local County Association for Parish Councils) a series of parish workshops on key problem areas for parish councillors and clerks connected with the Code of Conduct and governance, such as the operation of their planning powers. These workshops are being held in June 2009.

Please provide a list of training and development opportunities that have been provided to members and officers in the period from 01/04/2008 and 31/03/2009, that are relevant to ensuring high standards. Your list should include any training that relates to the operation of the local standards framework, e.g. local assessment, hearings etc.

On 23rd April 2008 an external trainer ran a day's training for Standards Committee members and advising officers on the new Assessment Procedures. Other members from neighbouring councils were also invited and the training included working through model scenarios in small groups. On 14th July 2008 the Committee held an Assessment and Review Panel training session working through SBE model case scenarios. On 13th & 14th October the Chairman of the Committee and both Deputy Monitoring Officers attended the Annual Assembly of Standards Committees in Birmingham. On 4th December 2008 an external trainer ran a day's training on "Pre-Determination, Bias and the Code of Conduct" to which all councillors and relevant advising officers were invited, with a particular emphasis on attendance by the members of the Council's regulatory committees, Planning and Licensing. and this was completed before the new system came into force and again a couple of months later. On 10th December the Standards Committee ran a breakfast training meeting for its members focusing on Personal and Prejudicial Interests ran by the Deputy Monitoring Officer. On 14th January all the new independent members attended a morning's induction session on the work of the committee. All the new independent and parish members of the committee have also individually attended external one-day Code of Conduct training during the year. On 18th February both Deputy Monitoring Officers attended the Monitoring Officers Conference in London. On 11th March the Standards Committee organised a lunchtime training session for its members on the work of the Corporate Governance Committee and its connection to Standards Committee ran by the Deputy Monitoring Officer. On 16th March the Deputy Monitoring Officer attended a SBE seminar on Other Action in London. On 18th March members of the Committee's Hearings Panel undertook training on hearings prior to two forthcoming hearings (in April/May 2009).



## Leadership

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How often has the standards committee, or its chair, met the chief executive to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

Three

Please also provide an overview of what the meetings were about.

The aim of the meetings between the Standards Committee Chairman and Vice-Chairman and the Chief Executive were to discuss key issues facing the Committee and the Council as a whole and consider how the profile of the Committee could be raised at the highest levels of the council.

How often has the standards committee, or its chair, met the leader of the council to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

Three

Please also provide an overview of what the meetings were about.

The Chairman of the Standards Committee has met the Leader to discuss the work of the Committee and how the Leader could help promote its work amongst the Cabinet and his party, along with particular issues and problems affecting the Council as a whole, and whether the Standards Committee could get involved in helping in other areas.

How often has the standards committee, or its chair, met the other party group leaders to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

Two

Please also provide an overview of what the meetings were about.

The Standards Committee Chairman and Vice-Chairman had individual meetings with the group leaders (and non-group councillors individually) and then were invited to talk to each political group meeting about the work of the Committee, particular issues facing members and areas of contention experienced with the Code of Conduct.

Does the standards committee, or its chair, have regular access to the monitoring officer? How regular?

The Committee Chair has had two formal meetings with the council's Monitoring Officer and meets one or both of the Deputy Monitoring Officers for detailed meetings at least once a month, outside of formal committee meetings.

How many times in the last 12 months (from 01/04/2008 to 31/03/2009) has the standards committee chair been invited to address a full authority meeting?

None

Does the monitoring officer sit on the Corporate Management Team, or equivalent?

Yes

Has an executive member (or senior member where appropriate) been given portfolio responsibility for standards?

Yes



## Complaints

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Can the public access information, from the authority website, about how to make a complaint against a member?

Yes

What else has the authority done to advertise the complaint process on member conduct to the general public?

We issued a press release and published a public notice in the press just prior to the new assessment process starting. We have a clear link from the front page of our website to the new complaint forms with guidance. We sent copies of the press notice to every parish council clerk in the district and asked them to confirm that the notice had been posted on the parish noticeboard. We also have a standing article in the Council's quarterly magazine which goes to every home in the district outlining how to make a complaint. Leaflets and posters are also available in the Council's reception.

Has the authority sought feedback from any of those people involved in an allegation of member misconduct about their satisfaction with the member conduct complaint process (for example the complainant, witnesses or person against whom the allegation was made)? Please choose from responses below.

No, have not sought feedback

How does the authority communicate the outcome of investigations into member conduct to:

**a) members**

All standards cases which are able to be reported in a formal committee agenda and minutes are circulated to all members and all parish councils via the council's Weekly Bulletin. Cases are reported back to the standards committee and its agendas and minutes are also widely available in the same way and are often attended by non-committee members. An overview of the Committee's work including case outcomes is reported to Full Council at its Annual Meeting. If it is a parish council matter a copy of the decision notice is sent to the parish clerk and parish councils are also kept informed via the Standards Committee Parish Council Newsletter.

**b) officers**

Links to the Committee's agenda, decisions and minutes are sent to all officers via the Weekly Bulletin along with the Parish Council Newsletter. Key cases may be included in the monthly Corporate Briefing to senior managers and service heads and cascaded down to more junior officers if necessary.

**c) the general public**

The Committee's agendas, decisions and minutes are published on the Council's website and copies sent to the local media in advance of meetings. A public notice is published in local daily newspaper after a hearing where there has been a finding of failure to uphold the Code. News reports generally accompany such findings and Panel Chairmen have received media training and advice on how to handle media queries.

How does the authority communicate the outcome of allegations into member conduct which have NOT resulted in an investigation (for example those allegations which have not been referred for investigation and those allegations which have resulted in other action) to:

**a) members**

Meetings of the Assessment Panel are held in private. Assessment Panel decisions are available for inspection by the public and members of the council on request. Members involved in the case are informed in writing and sometimes also by telephone. If the case involves a parish councillor a copy of the decision notice is sent to the parish clerk.

**b) officers**

Assessment Panel decisions are available for inspection by the public/members/officers on request. Officers involved in making a complaint would be notified in person of the decision or in writing.

**c) the general public**

Assessment Panel decisions are available for inspection by the public on request. A summary table of cases heard by the Assessment Panel is reported to each Standards Committee meeting by the Chairman of the Assessment Panel and published on the agenda.



## Member officer relations

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Does the authority have a protocol for relations between members and officers?

Yes

How is the protocol communicated to officers and members?

It is contained in the Council's constitution ( available on the council's website and on the intranet to officers) and in the Member's Toolkit which has been issued to all members. It was overhauled in 2007 and a link to the protocol sent to all officers as part of the Chief Executive's weekly briefing note to staff.

What is the mechanism for reviewing the effectiveness of this protocol?

The protocol was extensively re-written and agreed by Full Council when the Member Toolkit was created in 2007. It is reviewed annually as part of the Council's audit procedures.

Does the authority include training on the importance of high standards of behaviour in the inductions of new members and officers?

Yes

Does the authority have informal mechanisms for dealing with member/officer and member/member disputes?

Yes

Please provide details of any mechanisms and, if possible, provide an example where this has been used.

All councillors have been asked to sign an voluntary Undertaking committing them to abide by the Code of Conduct and other key council policies and protocols to help raise the standards of conduct at the council. Part of this undertaking was an agreement to participate in an informal mechanism of resolving complaints. This informal procedure is also built into the Member-Officer Protocol. It involves a round table meeting between the member, Chief Executive, group leader and the Chairman of Standards Committee where necessary. The informal procedure excludes complaints where a previous breach of the Code has been found involving the same member or where the complaint alleges a serious breach of the Code. Due to this caveat and the fact that a few members have not signed the Undertaking agreeing to this procedure it has not yet been used at the council. Outside of this procedure the Monitoring Officer and two Deputy Monitoring Officers have had informal discussions with a number of members following complaints from officers about behaviour where they did not wish to make a formal complaint. Advice has been given and there have been no further recurrences with those members. These actions are reported back to the Standards Committee in a non-specific generalised way to keep the committee informed.



### Registering member interests

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Is the member register of interests accessible to the public on the authority website?

Yes

Is the register of gifts and hospitality available to the public on the authority website?

Yes

What does the authority do to signal to members the importance of declaring interests and completing the register of interests and the register of gifts and hospitality?

All members are sent an annual written reminder before end of each financial year to ensure their interests are up-to date and all members are also advised of their responsibility to register interests and gifts and hospitality within 28 days. All members also have an advice note on this area within their Member Toolkit.



### Officer conduct

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Does the authority have a code of conduct for senior officers?

Yes

Does the authority compile a register of senior officers' interests?

Yes

If yes, is the register of senior officers' interests available to the public on the authority website?

No

Does the authority compile a register of senior officers' gifts and hospitality?

Yes

If yes, is the senior officers' register of gifts and hospitality available to the public on the authority website?

No



## Optional questions

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The following questions are optional; you do not have to complete them if you do not wish to. However, this information would be useful to us in helping us to raise ethical standards.

On what issues, if any, would you appreciate more support or guidance on from the Standards Board for England?

Would be useful to have more detailed guidance on procedures to appointing parish, district and independent members - model procedures would avoid dispute. Model job descriptions for each type of members would be helpful. More detailed guidance on all parts of the Assessment Procedure to supplement existing guidance covering potential issues - there have been a number of occasions when we have had to seek advice from the SBE as it was not covered in the guidance. The Standards Board should run regional workshops to boost its profile at a local level and hear concerns and opinions from standards committee members.

The Standards Board for England, the Improvement and Development Agency and the Audit Commission have developed a toolkit that authorities can use to assess the ethical governance arrangements in their authority, and also to identify improvements.

Has your authority used the ethical governance toolkit?

Yes



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