

Item 5

REPORT TO STANDARDS COMMITTEE

3RD NOVEMBER 2005

REPORT OF SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

SUMMARY OF STANDARDS BOARD CONFERENCE : BIRMINGHAM 2005

1. SUMMARY

- 1.1 This report appraises members of the Standards Committee of the principal messages from the Fourth Assembly of Standards Committees held on the 5th and 6th September 2005 at the ICC, Birmingham.
- 1.2 The event was attended by an audience of over 800 people and was addressed by officials of the Standards Board for England and also Phil Woolas, MP, Minister with the ODPM Office.

2. RECOMMENDATIONS

- 2.1 For members to consider the report and discuss and note the contents.

3. CRACKING THE CODE – STANDARDS BOARD RECOMMENDATIONS

- 3.1 The Standards Board for England announced on the 5th September its recommendations for the review of the Code of Conduct to the Office of the Deputy Prime Minister following a four month consultation period in which the Council was involved.
- 3.2 The main recommendations are:
 - The Code of Conduct should be simpler, more enabling, and owned by the member it applies to.
 - The Code needs to empower members as community advocates to take the lead on issues where their expertise is greatest and speak out on behalf of their own communities.
 - The rules about personal and prejudicial interests should be clearer, especially for members who sit on more than one public body.
 - There needs to be greater clarity about when it is appropriate for things to be confidential. Members must be able to speak out when it is in the public interest.
 - Members are entitled to have a private life and the public only expect this to be regulated where behaviour outside official duties damages the reputation of local government.

- Members have a right to challenge poor performance and criticise officers fairly, but bullying cannot be tolerated and needs to be addressed more explicitly in the Code.
- While people making complaints must be free from intimidation, the current duty for members to report breaches is unnecessary and unhelpful and should be removed.

4. KEY NOTE ADDRESS : CHIEF EXECUTIVE, DAVID PRINCE

- 4.1 *Past record:* the Board reviewed progress since the previous year's conference. Regional events had since taken place which were attended by around 1,000 Standard Committee members and Monitoring Officers, as well as Leaders and Chief Executives. This response was welcomed by the Board as a significant step in informing the debate about future changes to the Code. The Board reported that 22% of cases had been referred to Local Authorities for investigation: 62% of those were from the public. 34% of cases were investigated locally and 9% were determined locally. 71% of all cases were completed within six months. It was reported that complaints are now processed within ten working days. The Board emphasised the importance of focusing upon more serious cases, being proportionate in its response and proposes to encourage local solutions to local issues. The Board clearly envisages having a relationship with Local Authorities more in the nature of a partnership regarding the development of the Ethical Agenda.
- 4.2 *Ethical Governance Toolkit:* the Board had worked during the year with the IDeA and the Audit Commission, to jointly badge the Local Government Diagnostic known as the Ethical Governance Toolkit. ODPM had provided support and local capacity to develop this initiative which consists of a comprehensive audit, a member survey and interactive workshops. The Board is determined to keep ethical behaviour at the top of the agenda for Local Authorities. As a component of the Comprehensive Performance Assessment the Board had worked upon and developing relevant CPA key lines of enquiry.
- 4.3 *CPA – Key Lines of Inquiry:* the forthcoming Comprehensive Performance Assessment will focus even more closely upon Local Authorities' approach to the ethical agenda, and, in particular, the extent to which a Local Authority is clear about ethical responsibilities and demonstrates that it exhibits behaviour as expected of officers and members.
- 4.4 *The Graham Committee and the ODPM Select Committee:* comment was made about Sir Alistair Graham's report to the Government which had raised a number of key issues about the future role of the Standards Board. In particular a number of questions had been raised:-
- should the Board merely be a strategic regulator.
 - should cases be filtered locally.
 - should chairs of independent Standards Committees be independent.

- should there be more support and training for members.
- should the number of independent members on the Standards Committees be increased if more local decision making takes place.

5. CONSULTATIONS

- 5.1 The Chief Executive and Director of Resources have previewed this report and considered its contents. Copies have been circulated to the Management Team in advance of tabling on the Standards Committee Agenda.
- 5.2 Any additional comments received have been incorporated in the body of the report or will be reported orally at the meeting.

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Wards: N/A

Key Decision Validation: N/A

Background Papers

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Council's Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Council's S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input type="checkbox"/>	<input type="checkbox"/>

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