

STANDARDS COMMITTEE

Thursday,
3 July 2008
1.00 p.m.

Conference Room 1,
Council Offices,
Spennymoor

AGENDA and REPORTS



This document is also available in other languages, large print and audio format upon request

العربية (Arabic)

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

বাংলা (Bengali)

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

(中文 (繁體字)) (Cantonese)

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

हिन्दी (Hindi)

यदि आपको सूचना किसी अन्य भाषा या अन्य रूप में चाहिये तो कृपया हमसे कहे

polski (Polish)

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਪੰਜਾਬੀ (Punjabi)

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

Español (Spanish)

Póngase en contacto con nosotros si desea recibir información en otro idioma o formato.

اردو (Urdu)

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔

AGENDA

1. APOLOGIES

2. MINUTES

To confirm as a correct record the Minutes of the meeting held on 7th February 2008. (Pages 1 - 4)

3. NEW MEMBERS

To welcome the two new members to the Standards Committee:

- Brian Argyle – Co-opted Independent Member
- Councillor R.S. Fleming – Parish Member

4. THE ROLE AND MAKE UP OF STANDARDS COMMITTEE

To consider the attached report prepared by the Solicitor to the Council and Monitoring Officer. (Pages 5 - 10)

5. THE IMPLEMENTATION OF THE LOCAL ASSESSMENT OF COMPLAINTS REGARDING MEMBERS' CONDUCT AND CHANGES TO THE STANDARDS COMMITTEE EFFECTIVE FROM THE 8TH MAY 2008

To consider the attached report prepared by the Solicitor to the Council and Monitoring Officer. (Pages 11 - 14)

6. SURVEY SATISFACTION WITH THE STANDARDS BOARD

To consider the attached report prepared by the Solicitor to the Council and Monitoring Officer. (Pages 15 - 20)

7. DATE OF NEXT MEETING

Next meeting to be held on 30th October 2008.

8. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Members are respectfully requested to give the Chief Executive notice of items they would wish to raise under the heading not later than 12 noon on the day preceding the meeting, in order that consultation may take place with the Chairman who will determine whether the item will be accepted.

BACKGROUND DOCUMENTS

Monitoring Officer's advice issued:

MO Series - update:

MO

MO/106	Letter/e-mail – Unitary County Council Elections – 1st May 2008 - Advice
MO/107	Bulletin No. 37
MO/108	Bulletin No. 38
MO/109	Letter – Bi-Annual Review of Registers of Interests and Gifts and Hospitality

MO/SBC: None.

MO/SBC/CONS: **None.**

B. Allen
Chief Executive

Council Offices
SPENNYMOOR

Councillor L. Petterson (Chairman)
Councillors A. Gray, T. Hogan, Mrs. L. Hovvels and Mrs. E. Maddison

Councillor J. Marr (Spennymoor Town Council)
Councillor R. S. Fleming (Great Aycliffe Town Council)
Mr. I. Jamieson (Independent Member)
Mr. B. Argyle (Independent Member)

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection in relation to this Agenda and associated papers should contact **Miss. J. Stubbs, Tel 01388 816166 Ext 4508, juliestubbs@sedgefield.gov.uk**

Item 2

SEDGEFIELD BOROUGH COUNCIL

STANDARDS COMMITTEE

Conference Room 1,
Council Offices,
Spennymoor

Thursday,
7 February 2008

Time: 1.00 p.m.

Present: Councillor A. Gray (in the Chair) and
Councillors T. Hogan and Mrs. L. Hovvels

In Attendance: Councillor Mrs. A. Armstrong

Apologies: Councillor Mrs. E. Maddison
Mr. L. Petterson

Parish/Town Council member
Councillor J.Marr

Mr I. Jamieson (Independent Member)

ST.17/07 COUNCILLOR J. WAYMAN, J.P.
Members and the Monitoring Officer expressed their deep sadness at the loss of Councillor Wayman, who was a well-respected member of the Committee. Their thoughts were with his family at this difficult time.

ST.18/07 DECLARATIONS OF INTEREST
Members had no interests to declare.

ST.19/07 MINUTES
The Minutes of the meeting held on 1st November 2007 were confirmed as a correct record and signed by the Chairman.

ST.20/07 STANDARDS BOARD FOR ENGLAND: LEADER'S ETHICAL PLAN 2008 - 09
The Leader of the Council presented a report, which set out her mission and objectives for the Council in terms of policy approach to issues of member ethics, standards and conduct. (For copy see file of Minutes)

The report also provided information on Council performance on standards during 2007/08, and outlined the measures the Council had taken and intended to take to ensure the maintenance of high standards of behaviour, whilst ensuring a smooth transfer of functions to the new unitary authority.

Specific reference was made to the challenges that would be faced by the Council over the current year. These included the creation of a new

County-wide unitary authority and the need to ensure continuity in the provision of high quality guidance and advice to Members of the Borough Council and Parish and Town Councils.

Members' attention was also drawn to the changes to the ethical standards regime (including local assessment) resulting from the Local Government (Public Involvement in Health) Act 2007, and the expected increase and handling of cases at a local level.

AGREED: That the report be noted.

ST.21/07

**MEMBER TRAINING AND DEVELOPMENT - STANDARDS:
ATTENDANCE REVIEW 2007**

Consideration was given to a report of the Solicitor to the Council regarding the above. (For copy see file of Minutes)

It was explained that it was a mandatory requirement for all members to attend at least one qualifying standards training event per year and attendance would be reported to the first Standards Committee of each year.

It was reported that several training events had been conducted throughout 2007. In total, 37 members attended training events during 2007, with some attending more than one event.

13 Councillors had failed to attend any of the training events and these members would be contacted by the Monitoring Officer.

Members were informed that two Borough Council members had attended an Annual Assembly of Standards Committees in Birmingham, which had focused on local regulation and the revised Code of Conduct.

AGREED: That the report be noted.

ST.22/07

**REVISED CODE OF CONDUCT - 28TH NOVEMBER 2007 -
EVALUATION QUESTIONNAIRE FEEDBACK**

Consideration was given to a report of the Solicitor to the Council analysing the evaluation questionnaire responses from a training event on the revised Code of Conduct on 28th November 2007. (For copy see file of Minutes)

It was reported that 10 members attended the training event, of which 7 completed the evaluation questionnaire. The questionnaire focused on three areas, which consisted of general information, a course satisfaction survey and comments. Feedback in these areas was positive.

AGREED: That the report be noted.

ST.23/07

**REGULATORY COMMITTEES - DECISION PROCESS - 29TH
NOVEMBER 2007 - EVALUATION QUESTIONNAIRE FEEDBACK**

Consideration was given to a report of the Solicitor of the Council analysing the evaluation questionnaire responses from a training event on

Regulatory Committees held on 29th November 2007. (For copy see file of Minutes)

Members were informed that the event was attended by 7 members, who all completed the questionnaire. Despite the low attendance, which was possible a result of members' other responsibilities concerning Local Government Reorganisation, comments on the quality of the training were consistently good and feedback was positive.

AGREED: That the report be noted.

ST.24/07

NATIONAL AUDIT COMMISSION SURVEY - WHAT'S THE SCORE

Consideration was given to a report of the Solicitor to the Council outlining the findings of the national self-assessment survey carried out by the Audit Commission. (For copy see file of Minutes)

It was explained that the survey had been created by the Audit Commission in conjunction with the Standards Board for England and the Improvement and Development Agency (IDeA), and is one element of a four-part Ethical Governance Diagnostic toolkit.

Up to July 2007, 3998 individual Council members and senior officers from 44 Councils across the Country had completed the survey. Over 170 Councils has used at least one part of the toolkit. All responses to the survey were anonymous in order to ensure accuracy.

The findings were encouraging, however the necessity of training in order to keep up to date with developments was stressed.

AGREED: That the findings detailed in the report be noted.

ST.25/07

AN ANALYSIS OF THE CURRENT TRENDS IN ALLEGATIONS OF MISCONDUCT AT NATIONAL AND LOCAL LEVEL 2006 - 2007

Consideration was given to a report of the Solicitor to the Council, which analysed the current trends in allegations of misconduct, submitted to the Standards Board, both nationally and locally. (For copy see file of Minutes)

It was reported that since 2006 the Standards Board had received 3549 complaints nationally, compared with 3836 during the same period in 2005/2006. Over half (62%) of the allegations had been received by members of the public, with those coming from fellow councillors at 31%.

Locally, 11 complaints were submitted to the Standards Board against several local Councillors. Despite some of these complaints involving multiple allegations, only one was referred to an Ethical Standards Officer for investigation.

AGREED:

- 1. That the general trends in complaints of misconduct investigated at a national and local level be noted.*
- 2. That further reports be submitted to Standards Committee on an annual basis.*

ST.26/07**REVIEW OF THE CONSTITUTION**

Consideration was given to a report of the Chief Executive detailing proposed changes to the Council's Constitution to ensure that it reflected existing law and its operation continued to provide an efficient and effective framework for delivering the Council's aims and objectives. (For copy see file of Minutes)

It was pointed out that since the report had been prepared a request had been received to include an additional officer delegation in respect of the Selective Licensing Scheme that was to be introduced.

AGREED: That Council be recommended to approve the amendments set out in the Appendix and direct the Council's Monitoring Officer

- a) to amend the Constitution accordingly and make all necessary and consequential amendments and*
- b) to publish an amended version on the Council's website.*

ST.27/07**REVIEW OF CONFIDENTIAL REPORTING POLICY**

Consideration was given to a report of the Chief Executive concerning the above. (For copy see file of Minutes)

Members' attention was drawn to paragraphs 3.10 to 3.12, which set out the findings of the review.

It was reported that the policy had been invoked only once since introduced in April 2001 and had operated effectively in that case.

AGREED: That the findings of the review of the Confidential Reporting Policy outlined in paragraphs 3.10 to 3.12 be noted.

ST.28/07**DATE OF NEXT MEETING**

To be arranged.

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Miss. J. Stubbs, Tel 01388 816166 Ext 4508, juliestubbs@sedgefield.gov.uk

Item 4

REPORT TO STANDARDS COMMITTEE

3RD JULY 2008

REPORT OF SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

THE ROLE AND MAKE UP OF STANDARDS COMMITTEES

1. SUMMARY

- 1.1 This Report sets out the role and make up of Standards Committees and is based on guidance issued under the Standards Committee (England) Regulations 2008. The regulations are mandatory, and it is aimed primarily at members of Standards Committees and Monitoring Officers.

2. RECOMMENDATIONS

- 2.1 That Standards Committee be appraised of this Report.

3. DETAIL

3.1 Functions of Standards Committee

The main role of a Standards Committee is to promote and maintain high standards of conduct throughout the authority. Standards Committees, and indeed Monitoring Officers, are at the heart of the standards framework. They promote, educate and support members in following the highest standards of conduct and ensuring that those standards are fully owned locally.

Standards Committees have the following functions:

Main Functions

- To promote and maintain high standards of conduct for members
- To help members to follow the Code of Conduct

Specific Functions

- To give the Council advice on adopting a local Code
- To monitor the effectiveness of the Code
- To train members on the Code, or arrange for such training
- To assess and review complaints about members
- To conduct determination hearings
- To grant dispensations to members with prejudicial interests
- To grant exemptions for politically restricted posts

3.2 Size and Composition

There must be at least three people on a Standards Committee, which must include at least two members of the authority and at least one independent member. 25% of the members of the Standards Committee must, at least, be independent members.

The chair of the Standards Committee must always be an independent member.

As the Standards Committee carries out a number of functions including the assessment of complaints and determination hearings, it is recommended that there are at least six members on the committee, as different members will be required to carry out the different functions to avoid conflicts of interest.

In addition, two parish or town council representatives must be appointed, who must sit on the Standards Committee at all times when parish matters are being discussed.

3.3 Independent Members

Independent members are important in helping increase public confidence in local government. They provide a clear signal that the Standards Committee acts fairly and impartially. Independent members also bring a wider perspective from their outside experiences.

Independent members must be chosen in a fair and open way. A person can only be an independent member if that person:

- has not been a member or employee of your authority within the five years before the date of appointment.
- is not a member or officer of that or any other relevant authority.
- is not a relative or close friend of a member or employee of your authority
- has applied for the appointment
- has been approved by a majority of the members of the Council
- the position has been advertised in at least one newspaper distributed in your authority's area.

Skills and competencies of Independent Members

- a keen interest in standards in public life.
- a wish to serve the local community and uphold local democracy.
- high standards of personal integrity
- the ability to be objective, independent and impartial
- sound decision-making skills
- questioning skills
- leadership qualities, particularly in respect of exercising sound judgement
- the ability to act as the chair of an Assessment or Review Sub-Committee or a determination hearing.

Independent members may also be temporarily appointed to another Standards Committee to consider a particular assessment, review or hearing, or for a particular period of time, eg where the permanent member is unwell or if there is a conflict of interest. These appointments can be made without the need to advertise the position.

It is a legal requirement that the chair of the Standards Committee must be an independent member. This is because of the key role they play in the business of the Standards Committee. By being independent the chair can ensure that the Standards Committee's business is conducted in such a way that no one can question its integrity.

3.4 Parish and Town Council Representatives

The legal minimum parish or town council representation is two, although the guidance does recommend three to provide for flexibility, in the event the parish or town council representative is unavailable or conflicted out.

A parish or town council representative must be present when parish matters are being discussed by any meeting of the Standards Committee or one of its sub-committees.

3.5 Other Members

Executive members on the Standards Committee:

If the authority is operating executive arrangements, the Standards Committee does not need to include a member of the Executive.

Elected members on the Standards Committee:

Standards Committees need not reflect the political balance of the authority. This is because the Standards Committee should be above party politics and its members need to have the respect of the whole authority regardless of the governing political party.

However, it is useful for the Standards Committee to include members who are supported by all political parties, particularly when the local assessment of complaints is carried out. This is so that greater trust and confidence can be established in the decision-making process among all political members.

Standards Committees should be seen as making judgements impartially and without regard to party loyalty.

3.6 Supporting Standards Committees – The Role of the Monitoring Officer

The Monitoring Officer plays an important role in helping the Standards Committee to carry out its functions. He/she is the link between its members and the Standards Committee. They also play an important role in the relationship between parish and town councillors and the Standards Committee.

Monitoring Officers arrange training on standards matters for Standards Committees or for other members; they also maintain the register of members' interests.

3.7 Operation of Standards Committees

A Standards Committee **must** appoint a sub-committee to:

- assess new complaints
- review decisions to take no action over a complaint

A Standards Committee **can** appoint a sub-committee to:

- consider a Monitoring Officer's final investigation report
- consider determination hearings

For a meeting of the sub-committee to be valid, at least three members of the Standards Committee must be present throughout. These three members must include at least one member of the authority and one independent member.

A member of an Assessment Sub-Committee cannot be present at the Review Sub-Committee meeting when it considers a complaint that the Assessment Sub-Committee decided "no action should be taken".

If the matter relates to a member of a Parish or Town Council, the sub-committee must have at least three members who are present throughout the meeting, including a Parish or Town Council representative and an independent member.

Agendas and Reports for Standards Committee Meetings

Standards Committee agendas should be open for inspection five days before the meeting. However, meetings of the Assessment and Review Sub-Committees are closed and therefore agendas for these meetings do not come under this rule.

Copies of reports should also be available for inspection. However, the whole report or part of it, may be excluded, if the meeting where the report will be discussed, is unlikely to be open to the public. These might include:

- confidential or exempt terms
- breach of the Data Protection Act

An item may be considered as a matter of urgency, despite not appearing on the agenda, if the chair believes there are special circumstances, which are reflected in the minutes.

Minutes should be available for six years after the meeting, unless they relate to an exempt item, in which case they should not be made available.

4. RESOURCE IMPLICATIONS

4.1 No specific financial implications have been identified.

5. CONSULTATIONS

5.1 No specific consultations.

6. OTHER MATERIAL CONSIDERATIONS

6.1 All material considerations have been taken into account in the contents of this Report. In particular, risks may arise unless Members of Council are fully appraised on standards matters.

Contact Officer: D.A. Hall, Solicitor and Monitoring Officer
Telephone No: (01388) 816166, Ext. 4268
Email Address: dahall@sedgefield.gov.uk

Ward(s)

Key Decision Validation

Background Papers

Standards Board Publication "The Role and Make Up of Standards Committees"

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Item 5

REPORT TO STANDARDS COMMITTEE

3RD JULY 2008

REPORT OF SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

Strategic Leadership

THE IMPLEMENTATION OF THE LOCAL ASSESSMENT OF COMPLAINTS REGARDING MEMBERS' CONDUCT AND CHANGES TO THE STANDARDS COMMITTEE, EFFECTIVE FROM THE 8TH MAY 2008

1. **SUMMARY**

- 1.1 The Local Government and Public Involvement in Health Act 2007 received Royal Assent on the 30th October 2007. One of the significant effects of the Act, for the Standards Committee, was the introduction of a locally managed framework of compliance with the Code of Conduct, which involves the Standards Committee in making initial assessments of any allegations that the Council receives about member misconduct. In most cases, any complaint that requires further action will be investigated and decided locally, without the involvement of the Standards Board for England.
- 1.2 From the 8th May 2008, Standards Committees throughout England have three distinct roles in relation to complaints about member conduct:
- Receiving and assessing complaints.
 - Reviewing local assessment decisions
 - Conducting hearings following an investigation into the complaint
- 1.3 This Report identifies the steps that need to be undertaken in order to fully implement these changes.

2. **RECOMMENDATIONS**

- 2.1 That Standards Committee notes the Report.

3. **IMPLEMENTING THE REGULATIONS AND THE WAY FORWARD**

- 3.1 Regulations have just been published, setting out how the new roles of the Standards Committee will work in practice, and monitoring arrangements for the process.

- 3.2 To support local authorities, the Standards Board have produced a range of comprehensive guidance on the new framework for local authorities for local assessment.
- 3.3 A number of implications arise for the Borough Council from these regulations. The Standards Board for England has made a number of recommendations relating to the size and remit of the Standards Committee following a pilot introduction of the requirements of the Act of 2007, in a number of authorities across the country.
- 3.4 Standards Committees must now have a minimum of three members (including the Independent member) although in practice the Standards Board recommends that each Committee has a minimum of six members (three elected members and three independent members). The current composition of the Borough Council Standards Committee is as follows:-
- 8 members in total including
 - 1 Cabinet member
 - 4 Non-Cabinet members
 - The Chair is an Independent Co-optee
 - There are two Independent Co-optees on the Committee
 - There is one Parish/Town Council representative

To avoid perceptions of bias or pre-determination, members who carry out a local assessment decision, should not be involved in a review of the same decision, in the event that a review is requested. In order to overcome this, the Standards Board recommend that at least two Sub-Committees are set up to deal with the different roles. Alternatively, the Standards Committee could act as a “pool” of members in a similar way to the Borough Council’s Appeal Panels. Regardless of the structure, Sub-Committees set up to either undertake an initial assessment or to review a decision, must be chaired by an Independent member.

- 3.5 From a practical perspective, the Standards Committee now needs to be sufficiently large to allow for possibilities of non-availability or conflict of interest. This needs to be balanced with the anticipated levels of activity that the Standards Committee will be required to undertake, as the Council approaches abolition.
- 3.6 Management Team have considered the structure of the Standards Committee in light of the circumstances, and the recommendation that the number of Independent members be increased from two to three, in order to further ensure availability. Given the current situation of the Borough Council, in the Local Government Review, it was suggested that in order to avoid the need for further advertisement, etc. that the Co-optee on the Audit Committee be invited to take up this role. It was also recommended that parish membership be increased from one to two members.

3.7 Again, given the circumstances of the Borough Council, it is recommended that the Standards Committee is used as a “member pool” and that the Monitoring Officer be given delegated authority to appoint the members of Sub-Committees as and when required from that “pool” in order to constitute relevant Sub-Committees for the roles of:

- (a) receiving complaints
- (b) reviewing assessment decisions, and
- (c) conducting hearings

This will therefore involve the minimum amount of change to the existing composition of the Committee.

3.8 There are also publicity and information implications regarding the new regulations. Management Team have considered the need for further information on the website and other public arenas, not just to publicise the change in legislation but to clarify the role of the Committee and the Code of Conduct for members.

3.9 The website currently includes the Code of Conduct and the Council’s Constitution, wherein the remit of the Committee is fully explained.

3.10 Additional text will be required to be made available to explain how and to whom complaints should be submitted regarding members, as there is no information currently showing how the new arrangements will operate.

4. RESOURCE IMPLICATIONS

4.1 There are staffing implications albeit that much depends upon the number of complaints that are received. It is considered the position be kept under review initially.

5. CONSULTATIONS

5.1 Management Team has considered this Report.

5.2 This Report has been to Cabinet for information.

6. OTHER MATERIAL CONSIDERATIONS

6.1 The majority of Councillors have now been trained on the revised Code of Conduct.

6.2 The Standards Board for England has publicised a training exercise for Standards Committees, which aims to prepare them for the forthcoming changes to the Standards framework.

7. CONSTITUTIONAL AND OTHER LEGAL IMPLICATIONS

7.1 Legal implications of implementing the new regulations have been taken into consideration in the main body of the Report.

7.2 In addition, it has been necessary to change the Constitution to reflect the proposals in this Report for:

- changes to the composition of the Standards Committee
- the new remit of the Standards Committee
- the addition of a procedure for determining allegations against Councillors
- a statement of sanctions available to the Standards Committee when dealing with complaints

7.3 A Report setting out, precisely, the amendments necessary to be made to the Constitution, has been approved by Council on the 16th May 2008.

Contact Officer: D.A. Hall, Solicitor and Monitoring Officer
Telephone No: (01388) 816166, Ext. 4268
Email Address: dahall@sedgefield.gov.uk

Ward(s)

Key Decision Validation

Background Papers

Standards Committee (England) Regulations 2008

Section 53 of the Local Government Act 2000 (Section 49(6)) Part 3 Section 57A (inserted by Sections 57B to 57D, and Section 58) by Section 185 of the Local Government and Public Involvement in Health Act 2007

Item 6

REPORT TO STANDARDS COMMITTEE

3RD JULY 2008

REPORT OF SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

SATISFACTION WITH THE STANDARDS BOARD FOR ENGLAND AND ATTITUDES TO THE ETHICAL ENVIRONMENT: QUALITATIVE INVESTIGATION FOLLOWING QUANTITATIVE SURVEY

1. SUMMARY

1.1 This report summarises the results of qualitative research by the Standards Board for England. Six standard focus groups and one on-line focus group were held England-wide, which captured the views of Monitoring Officers, Standards Committee Chairs and Members, Councillors and Parish Councillors.

2. RECOMMENDATIONS

2.1 That the Standards Committee notes the Report and findings.

3. DETAIL

3.1 **Link between Stakeholders' satisfaction and relationship with the Standards Board**

A key area of insight, which the focus groups brought, was a deeper understanding of the link between satisfaction with the Standards Board and stakeholders' perceptions of the closeness (or remoteness) of the relationship between themselves and the Standards Board. Stakeholders who expressed the most positive views of the Standards Board tended to work closely with the Standards Board and the Code of Conduct. They attended more Standards Board events and received more publications than those who had more negative views. Typically those with the most positive views were Monitoring Officers and Members of Standards Committees.

In contrast, those who had minimal direct contact with the Standards Board, or felt "remote" from it, were more likely to hold a neutral or more negative view.

3.2 **Criticisms of the Standards Board**

Criticisms of the Standards Board expressed by some respondents to the quantitative survey were also made in the focus groups. These included:

- a perception of been overly-bureaucratic
- too much time and money spent investigating allegations which were frivolous and unfounded
- not to investigate a complaint

Councillors who had had a complaint made against them were least satisfied with the performance of the Standards Board. Some Parish Councillors felt strongly that they were over-regulated by bodies such as the Standards Board and that it failed to understand that Parish Councils had a different way of working from other types of local authorities.

3.3 **Standards of Member Behaviour**

Many respondents felt that the behaviour of elected members had improved to some degree since the Standards Board had been in existence, some felt the improvement had been dramatic, whilst others felt less so, because they believed the behaviour of members in their authorities had always been exemplary. It was widely held that most elected members and parish councillors were honest and had considerable integrity; and that most of those who had an allegation made against them and upheld had unintentionally fallen foul of the Code by not being fully aware of the rules.

Respondents felt that member behaviour worsened at election time and during heated debates, such as those that were part of the budget setting process, meetings discussing possible disclosure of local facilities were mentioned as likely to produce inappropriate language by members.

The quantitative research highlighted that disappointment had been expressed that the general public had not noticed any improvement in the behaviour of local councillors, participants felt this was mainly due to press interest, particularly by local newspapers, when allegations of misbehaviour were highlighted but not necessarily drawing attention to decisions of “no case to answer” or where the accused had been found not to be in breach of the Code of Conduct.

3.4 **Ethical Framework Changes**

All groups said they had been fairly well prepared for the changes to the ethical framework, which had taken place in 2007. Most said they had received good or adequate training or induction in the revised Code of Conduct, from either:

- their Monitoring Officer,
- an external consultant
- a Standards Board event

The most useful preparation had been face-to-face training, usually conducted by the Monitoring Officer, consolidated with publications from the Standards Board, or written material based on these.

Monitoring Officers, however, said they would have liked more time to have prepared for its introduction; and valued most highly the opportunity to learn about the changes face-to-face at Standards Board Roadshows and the Annual Assembly.

3.5 **Code of Conduct 2007**

There was very little real dissatisfaction with the Code of Conduct 2007 among any of the stakeholder groups. Most respondents felt that although the changes were fairly minor, it was now clearer, more comprehensive and demonstrated more common sense than the original Code.

3.6 **Local Assessment**

Most stakeholders were aware to some extent of local assessment. Least aware of the implications of local assessment were those whose relationship with the Standards Board was weakest. The move to filtering cases and investigating most of them locally had been broadly welcomed. Respondents felt it was more sensible for local standards committees to handle all but the most complex cases, freeing up the Standards Board to move towards the role of strategic regulator. However, there was concern that local assessment would mean a vastly increased workload for Monitoring Officers and Standards Committees, especially those with large numbers of Parish Councils.

3.7 **Support and Guidance**

Monitoring Officers were very satisfied with communications with the Standards Board, and said that the standard and clarity of Standards Board publications had improved in recent years. Long-standing members of Standards Committees were most satisfied and received more Standards Board publications – all from their Monitoring Officers. Councillors received Standards Board publications through their Monitoring Officer, or Town Clerk in the case of Parish Councillors. Some were comfortable with this, since they trusted their Monitoring Officer or Town Clerk to provide them with all the information and guidance they needed. Some felt their understanding of the Code of Conduct was lacking and would like to see more of the publications produced by the Standards Board. Some respondents felt uneasy that the Standards Board seemed to rely solely upon Monitoring Officers to cascade all relevant information to members.

It was found that “The Code of Conduct 2007” guide for members was one of the most useful publications issued by the Standards Board. Monitoring Officers and members of Standards Committees said they liked the format and conciseness of “The Bulletin” and found this publication useful.

3.8 **Clarity**

Those who were most familiar with Standards Board publications felt that they were as clear and easy to read as they could be. Readers liked the use of plain English, occasional humour and the general formatting and layout. However, some stakeholders felt that the text could be a little “wordy”, the subject matter difficult and the layouts could be more “user-friendly”. All respondents concurred, however, that what they wanted from Standards Board publications was:

- clear guidance, illustrative examples and case studies.
- Documents which were well laid out, concise and easy to read, so that salient points could be extracted.

With a few exceptions, all types of respondents preferred to receive larger numbers of short fact-sheets dealing with one issue at a time rather than a small number of long detailed documents.

3.9 **Standards Board website, DVDs and Events**

Monitoring Officers who used the Standards Board's website regularly were satisfied with it. However, few members of the other groups had seen the website. Of those who had, they had mixed views on its usability in contrast with Monitoring Officers. Some had found it difficult to find what they were looking for, and this led to a sense of remoteness from the Standards Board.

There had been widespread praise, however, for the two Standards Board DVDs, which many respondents had seen. Standards Board Roadshows and the Annual Assembly were also extremely popular methods of disseminating information, and respondents had found the break-out sessions and written materials provided at these very useful.

3.10 **Suggestions for ways of improving support and guidance**

Some suggestions put forward for improvement were:

- Bespoke publications (with relevant examples and digests of case studies)
- Documents available from the Standards Board website to download to be in an easily printable format
- The website be made more easily searchable for case histories
- The Standards Board to provide information and guidance on major changes with improved timeliness
- Conferences could be shortened and some Roadshows tailored for Monitoring Officers
- More regional training events
- Visits from Standards Board staff to Standards Committees
- To improve accessibility and transparency of the Standards Board by publicising the names, photographs and contact details of key staff

4. **RESOURCE IMPLICATIONS**

4.1 No specific financial implications have been identified.

5. **CONSULTATIONS**

5.1 No specific consultations.

6. OTHER MATERIAL CONSIDERATIONS

6.1 All material considerations have been taken into account in the contents of this Report. In particular, risks may arise unless Members of Council are fully apprised on standards matters.

7. OVERVIEW AND SCRUTINY IMPLICATIONS

7.1 None apply.

8. LIST OF APPENDICES

8.1 None apply.

Contact Officer: Dennis A. Hall
Telephone Number: 01388 816166, Ext. 4268
E-mail address: dahall@sedgefield.gov.uk

Wards: N/A

Key Decision Validation: N/A

Background Papers

“Satisfaction with the Standards Board for England and Attitudes to the Ethical Environment: Qualitative Investigation following Quantitative Survey?”
Standards Board for England

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 type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Council's S.151 Officer or his representative	<input 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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