

# Item 5

## REPORT TO STANDARDS COMMITTEE

30TH OCTOBER 2008

## REPORT OF SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

### STANDARDS BOARD ANNUAL REVIEW – 2007/2008

#### 1. SUMMARY

- 1.1 The theme of the 2007/08 Annual Review is “Local Delivery, National Support”. It outlines the changing role of the Standards Board, the new responsibilities of local authorities and the considerable work the Standards Board have undertaken in the past year to allow this new system to be realised.
- 1.2 The local framework is now in place. Local Authorities are now responsible for placing ethical standards at their heart, tasked with both implementing the Code of Conduct and dealing with local complaints. The Standards Board has played a significant role in the introduction of this new, more responsive system.
- 1.3 It is a period of real change. The Standards Board has now become a strategic organisation, charged with ensuring the effectiveness of the local framework and for setting the standards agenda nationally.

#### 2. RECOMMENDATIONS

- 2.1 That Standards Committee be appraised of the report.

#### 3. DETAIL

##### Local Framework

- 3.1 The Standards Board have been working intensively in 2007/08 towards the introduction of the new framework. They have created, ran and analysed a series of pilot studies which were designed to show what the new system could be like in practice. The findings have played a vital role in the final design of the framework that is now in place.
- 3.2 Monitoring Officers had been asked for their recommendations for making local assessment work in their authorities. The results showed that:
  - Almost half would increase the frequency of Standards Committee meetings.
  - 40% would consider increasing the size of their Standards Committee.
  - 33% identified the need to have more independent members.

- 3.3 Local assessment brings two key benefits - firstly it gives greater power to local authorities to uphold and promote ethical standards among their own members. Secondly, it allows the Standards Board to concentrate on ensuring the local framework is a success, by helping and supporting local authorities and by taking the independent, national overview so important for maintaining public confidence. The Standards Board will continue to investigate the minority of cases which cannot be investigated locally.
- 3.4 The Standards Board produced a comprehensive range of guidance materials around the launch of the new local framework. The guidance focused on four key areas:
- Local assessment and how it would work.
  - The role and make-up of Standards Committees.
  - Local investigations.
  - Local determinations.

### **Clear Lines of Communication**

- 3.5 The revised Code of Conduct was implemented on 3rd May 2007 and had to be adopted by every local authority by 1st October 2007. The Standards Board believed the Code was now better suited to the needs of local government. It was clearer and simpler to understand, gave greater scope for members to speak as community advocates and act on behalf of the people who elected them. The Code of Conduct is the single most important document relating to ethical conduct for members.
- 3.6 From research studies carried out, Monitoring Officers were very satisfied with communications with the Standards Board, and some felt that the standard and clarity of Standards Board publications had improved in recent years.

### **Spreading the Word**

- 3.7 Over the year the Standards Board have worked with a large number of organisations and individuals - including Annual Assembly, party political conferences and the Local Government Association Annual Conference and Exhibition 2007. They have also engaged a number of partnerships designed to develop a greater understanding of the ethical agenda.
- 3.8 The Annual Assembly of the Standards Committee is the largest event organised by the Standards Board. Last year's event was the sixth conference to be held - "*Down to Detail: Making Local Regulation Work*". It was held in October 2007, at the International Convention Centre in Birmingham, and proved to be a great success, with 97% of delegates saying they were satisfied with the event.
- 3.9 In July 2007 the Standards Board attended the Local Government Association Annual Conference and Exhibition. Board members and the Chief Executive and staff were on hand to:

- Share advice and experience on implementing the changes to the Code of Conduct
- Listen first-hand to feedback, concerns and queries
- Keep delegates informed on the latest news
- Offer support from policy teams

3.10 The Standards Board also had exhibitions at the three major political party conferences in 2007 -

- Liberal Democrats in Brighton
- Labour in Bournemouth
- Conservatives in Blackpool

It gave the Standards Board the opportunity to take their message directly to those in government and local authority members. They also ran a workshop at the Labour Local Government Conference and addressed the full Conference at the Conservative equivalent.

### **Working in Partnership**

3.11 The Standards Board had engaged in a number of partnerships over the last 12 months -

- working with the Audit Commission to ensure standards issues are incorporated into comprehensive area assessments and to look at issues such as proportionate regulation and information sharing.
- working with the Planning Advisory Service (PAS) to ensure its guidance is consistent with the Code
- chairing the Joint Working Steering Committee which meets twice a year. The Committee brings together senior officers from those organisations with an interest in the development of good ethical environments and improved public confidence in local democracy.
- working with some partners in planning for the implementation of a Parish Council Capacity Building Bid. The bid has two strands. The first is a compact, which will see County Associations working with Standards Committees and Monitoring Officers. The National Association of Local Councils (NALC) will lead this programme, which is expected to run from June to December 2008. The Improvement and Development Agency (IDeA) will lead the second strand - a peer mentoring programme. Here, mentors in principal authorities and towns and parishes will work with Parish and Town Councillors in supporting and strengthening leadership. This will run from September to November 2008.

3.12 One of the Standards Board's most interesting partnerships has been on the subject of partnerships themselves, working with the Improvement and Development Agency for local government (IDeA). The Standards Board looked at the extent to which partnerships work along ethical lines. Partnerships are an invaluable way of working, bringing together people and

skills that often create new ways of working - and solutions that might not have been previously thought of. They do, of course, need to be implemented and managed ethically, and the Standards Board is keen to promote appropriate behaviours and real accountability in all partnerships entered into by local authorities.

## **The Year Ahead**

- 3.13 It is a year of fundamental change. If the public are to have true confidence in their elected representatives then we need to do all we can to uphold the highest standards of ethical behaviour. The Standards Board is convinced that the greater responsibilities placed on local authorities will make this task easier, they are also convinced that the more strategic role of the Standards Board will enable them to offer greater support and advice on the ground.
- 3.14 The new framework is firmly embedded in the culture of local authorities. For the next twelve months the task now is to ensure that Standards Committees and Monitoring Officers are confident in their roles and that the system is operated efficiently at the local level. The Standards Board will offer a light touch when it comes to monitoring, and will look to highlight good practice wherever they see it. Their work now is to ensure its continued success.

## **Key Achievements in 2007/08**

- 3.15 Some of the key achievements of the Standards Board -
- The publication of key advice on the implications of the revised Code of Conduct.
  - Ensuring 99% of monitoring officers and 90% of standards committee members knew of the changes to the new Code by its adoption date of 1st October 2007.
  - Attracting more than 1,000 members and monitoring officers to Roadshows, explaining both the new Code and the new local framework.
  - Successful Annual Assembly, with positive feedback from delegates.
  - The completion of local pilots designed to explore and shape the new local assessment framework.
  - 44% of members think that standards of behaviour have improved in recent times. This is up from 27% in 2004.
  - Two in three stakeholders now consider that our published information and guidance communicates key messages 'very or fairly well'.
  - 90% of allegations acknowledged within two working days.
  - Average time taken from receipt of allegations to notification was ten working days.
  - Completing 96% of cases referred for investigation within six months.

3.16 A survey, undertaken by BMG Research 2007, showed an overall positive picture emerging:

- Many respondents felt that the behaviour of elected members had improved to some degree since the Standards Board had been in existence.
- Some felt that the improvement had been dramatic
- Many felt that there had been a marked reduction in examples of serious and flagrant misbehaviour, such as misuse of authority resources for election campaigns and abuse of expenses.
- Most obvious, respondents felt, was a more respectful use of language during meetings, less bullying behaviour and prejudicial interests now being disclosed routinely at meetings.
- Most gave the reason for the perceived improvement in member behaviour to the existence of the Code of Conduct and higher levels of awareness of the rules of behaviour.

#### **4. RESOURCE IMPLICATIONS**

4.1 No specific financial implications have been identified.

#### **5. CONSULTATIONS**

5.1 The Council's Standards Committee to be appraised of this report.

#### **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.

#### **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**

Standards Board Annual Review – “Local Delivery, National Support”

**Examination by Statutory Officers**

	<b>Yes</b>	<b>Not Applicable</b>
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 type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input type="checkbox"/>	<input type="checkbox"/>