

REPORT FOR DECISION

Agenda Item	
----------------	--

MEETING: STANDARDS COMMITTEE
DATE: THURSDAY 29 SEPTEMBER 2005
SUBJECT: ANNUAL ASSEMBLY OF STANDARDS COMMITTEE
REPORT FROM: MONITORING OFFICER
CONTACT OFFICER: DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

TYPE OF DECISION: N/A

REPORT STATUS: OPEN

PURPOSE/SUMMARY: To provide information on the major topics discussed at this years Annual Assembly of Standards Committees.

OPTIONS AND RECOMMENDED OPTION (with reasons): The Committee is asked to note the report and agree that the issues raised within it form the basis of the next Member Bulletin..

IMPLICATIONS -

Financial Implications and Risk Considerations

There are no such implications arising from this report

Corporate Aims/Policy Framework:

Do the proposals accord with the Policy Framework? **Yes** **No**

Are there any legal implications? **Yes** **No**

Considered by Monitoring Officer: **Yes**

Statement by Director of Finance and E-Government:

There are no financial implications arising from this report.

Staffing/ICT/Property:

N/A

Wards Affected:

N/A

TRACKING/PROCESS SERVICES**DIRECTOR: LEGAL AND DEMOCRATIC SERVICES**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
NO	NO	NO	NO
Scrutiny Panel	Executive	Committee	Council
NO	NO	YES	NO

1.0 BACKGROUND

- 1.1 This years Annual Conference was held at the Birmingham ICC on 5 and 6 September 2005, and was attended by the Chair, Councillor Ken Audin, together with Chris Shillitto from Democratic Services. There were in the region of 800
- 1.2 The Conference title was “Ethical Standards – In Your Hands” and focussed this year on investigations, hearings and building the trust of local communities in their authority.
- 1.3 In opening the Conference, the Chair of the Standards Board for England, Sir Anthony Holland, outlined two key issues which would shape the ethical agenda. Firstly, how “local” will investigations and determinations become in the future and secondly, what changes will emerge in the Review of the Code of Conduct.

2.0 KEYNOTE SPEECHES

- 2.1 Phil Woolas MP, Minister for Local Government, was supportive of the future of the Standards Board, seeing it as having a key role in the creation of an environment where misconduct is eliminated from public life. He also saw local authorities as key to making this happen. He made particular reference on the need for councils to take ownership of ethical standards and not leave solely as a job for monitoring officers and standards committees. The Government now had to weigh up recommendations from the Committee on Standards in Public Life and the Committee set up by the Deputy Prime Minister. The first believes that decisions as to whether or not to investigate a complaint should be taken locally; the second prefers the initial filtering to continue to be undertaken by a national body.
- 2.2 The Chair of the Committee on Standards in Public Life, Sir Alistair Graham, explained why his Committee had come to the conclusion that complaints should be handled and filtered locally by standards committees, with the Standards Board auditing and maintaining the system and handling only the most serious cases. Under the current system, recent legislation has enabled far more complaints to be referred on to local standards committees by the Standards Board. However, the Graham Committee is recommending to the Government far greater local

involvement. Such a proposal could seriously impact upon the workload of monitoring officers.

- 2.3 David Prince, the Chief Executive of the Standards Board, focussed upon the performance of the Standards Board over the past 12 months and the recommendations being made to the Government on the Code of Conduct. Since January 2005, 34% of cases have been referred for local investigation; 9% had been referred to local standards committees for local determination and it is predicted that by 2007 half of all cases will be investigated or determined locally. The Board was also able to point to a significant improvement in case handling, focussing on the most serious cases and weeding out the “frivolous, vexatious and politically motivated cases.” The Board considers that the successful local ethical agenda is one that is owned and driven locally and is very much part of day to day activity. The Board has worked with the IDeA and the Audit Commission on the Local Government Diagnostic and has worked with the Audit Commission on adding an ethical component to the capacity section of the Comprehensive Performance Assessment.
- 2.4 The Board has gathered in some 1200 comments on the Code of Conduct and has now put forward suggested changes for consideration by the Minister. Some of these are set out below:
- § **The current Code needs to be simplified.**
 - § **Sections on Interests should be revised in order to improve the balance between protection of decision-making and the role of councillors as democratically- elected advocates on behalf of their communities.**
 - § **There should be a reduction in the number of personal interests which need to be declared and there should be greater local pressure to grant dispensations.**
 - § **There should be a specific provision on bullying.**
 - § **Members should be able to disclose information in the public interest.**
 - § **The duty to support breaches should be abolished.**

The full list of recommendations is attached as Appendix A,

- 2.5 Patricia Hughes, Deputy Chair of the Standards Board, in the Conference’s closing keynote speech, referred to the decision facing the Government in terms of the contrasting recommendations in terms of local investigation and determination and the role of the Standards Board. Discussion on this featured significantly at the Conference. So far as the Code of Conduct was concerned, the outcome of the Government’s consideration of the Standard’s Boards recommendations should be known by next year. The shift of referring more cases for local investigation and determination will continue. The impact that this would have on Monitoring Officers in terms of workload; resources and potential conflicts in their role as investigator and advisor was acknowledged.

3.0 OTHER SESSIONS

- 3.1 A series of sessions were held to provide first hand accounts of dealing with investigations; hearings; reaching determinations; deciding on sanctions. Other sessions looked at how local authorities can build the public’s confidence and trust in both themselves and local democracy as a whole. This provided an opportunity to examine some of the practical issues behind the legislation.

- 3.2 For a local authority to score well under the ethical element of the CPA process, the profile of standards needs to be high. The Conference also addressed how engaging with the public more effectively will enhance the reputation of members. Surveys had shown that local councillors came bottom in terms of public trust when compared with family doctors; head teachers, judges; local police officers; senior police officers; TV news journalists; local MP's; and senior NHS managers.

4.0 CONCLUSION

- 4.1 The next Annual Conference will take place in Birmingham on 16 and 17 October 2006.
- 4.2 It is suggested that the issues raised in this report form the basis of the next Standards Bulletin.

List of Background Papers: Programme for the Annual Assembly of Standards Committees; Speeches and Handouts from the Conference.

Contact Details: - Chris Shillitto, Democratic Services.
Telephone 0161 253 5041
Email – c.shillitto@bury.gov.uk'
