

REPORT FOR DECISION

MEETING: Standards Committee

DATE: 16 November 2009

SUBJECT: Annual Assembly of Standards Committees

REPORT FROM: Chairman of the Standards Committee

CONTACT OFFICER: Deputy Head of Democratic Services

TYPE OF DECISION: COUNCIL

FREEDOM OF INFORMATION/STATUS: This paper is within the public domain

SUMMARY: This report sets out the main issues arising from the 2009 Annual Assembly of Standards Committees which was held on 12 and 13 October 2009 in Birmingham. This year's theme was "Bringing Standards into Focus."

OPTIONS & RECOMMENDED OPTION This report is for information.

IMPLICATIONS:

Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
---	--

Financial Implications and Risk Considerations:	There are no financial implications or risk considerations arising from this report.
--	--

Statement by Director of Finance and E-Government:	There are no financial implications arising from this report.
---	---

Equality/Diversity implications:	No
---	----

Considered by Monitoring Officer:	Yes
--	-----

Are there any legal implications?	No
--	----

Staffing/ICT/Property:	None
Wards Affected:	All Wards
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council
		16.11.2009	

1.0 BACKGROUND

- 1.1 The Annual Conference took place in Birmingham on 12 and 13 October 2009 and was attended by the Chair of the Committee, Arthur Withington and Chris Shillitto from Democratic Services. The Conference consisted of a series of plenary and mini plenary sessions together with a series of workshops.
- 1.2 The delegates attended the following workshops between them:
- Local assessment – Monitoring Officers
 - Public in the Picture
 - Forum for Monitoring Officers
 - Engaging Leaders
 - Determinations
 - Highly Effective Standards Committees
 - Focus on Code Changes
 - Sharing Good Practice – Standards Committee
 - Local Assessment – Sharing Lessons Learnt
 - Standards and Partnerships
- 1.3 What follows is an outline of the main issues which arose from the Conference. Handouts and Presentation Material is available on <http://www.standardsforengland.gov.uk/>

2.0 ISSUES

- 2.1 In the opening address by the Chair (Dr Robert Chilton) and Chief Executive (Glenys Stacey) of Standards for England (SfE), delegates were reminded of the role of SfE which was set out as follows:
- § Strategic Regulator
 - § Promoting and Championing High Standards
 - § Ensuring effectiveness of performance
 - § Monitoring and Supporting
 - § Trends and Consistency

- 2.2 A number of statistics were provided for delegates following the annual review of complaints. A total of 2,863 complaints had been made against councillors. Given that there are 80,000 councillors, this equates to one complaint for every 25 members. Of the 2,863, 25 were suspended or disqualified which represents one serious sanction for every 3,000 members.

54% of complaints are made by the public and 36% by elected members.
29% of complaints were referred to the Monitoring Officer for investigation. This is more than were investigated under the system prior to local filtering. SfE has concern that of those investigated, few reveal a breach of the Code.

- 2.3 A further plenary session entitled "The Local Standards Framework: Force for Good or necessary evil," enabled delegates to consider contrasting views on the effectiveness or otherwise of the current system. There is much support for the way in which local authorities, with the help of SfE, are seeking to promote and maintain high standards. However, one monitoring officer put forward the following as evidence that the current system could be improved:

- § Bureaucratic and Resource Intensive;
- § Lack of discretion for Monitoring Officer;
- § Not proportionate given the work/outcome; The Code of Conduct could be simplified and a less complex set of rules applied;
- § The standards imposed on local authorities compared to partner organisations.

- 2.4 Delegates were informed that with regard to the Code of Conduct, the main change would relate to conduct of members in a private capacity. It was anticipated that the Code would limit this to criminal conduct that has led to a conviction in a criminal court.

- 2.5 The operation of local filtering over an 18 month period had led to a number of common issues and problems which local authorities were grappling with. One difficulty had been the lack of guidance about telling a member when a complaint had been made against him/her. There was a strong view that the Member should be informed in general terms about the nature of the complaint once the date of the Referral Sub-Committee had been confirmed.

- 2.6 A further common difficulty had arisen following a decision to take action short of investigation. It was felt that further guidance was required as to what can be done if, for instance, a Member refuses to apologise or go to reconciliation as requested.

- 2.7 There was a very useful workshop around publicising Standards. The link below gives a useful means of self assessment which will test how well we are doing on this.

<http://www.annualassembly.co.uk/media/HO18%20Putting%20the%20public%20in%20the%20picture.pdf>

- 2.8 Authorities related steps that they had taken to engage Party Leaders. Others made sure that Group Whips were members of the Standards Committee. Some basic questions are set out below:

- § How has your Council engaged with Leaders.
- § How have you engaged with internal stakeholders.
- § How has Standards been embedded within the Council.

- § How has the Standards Committee engaged with external stakeholders such as the media and the public.

3.0 CONCLUSION

As in previous years the Conference provided a useful source of information and ideas. It also demonstrated that in terms of where we are as a Council, we have responded well to the local filtering arrangements but that there is potential for the Committee to become more pro-active.

List of Background Papers:-

The Standards for England web site contains all presentation material used at the Conference.

Contact Details:-

Chris Shillitto – Deputy Head of Democratic Services.