



Wednesday 29 April 2009



Confidence in local democracy

Annual return

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Independent overview

Does the standards committee have Terms of Reference?

Yes

What help do members receive on following the Code of Conduct?

Members receive training as part of the induction process and/or when a revised Code of Conduct is adopted, and refresher training where appropriate. Members are aware that the Monitoring Officer and the Deputy Monitoring Officer are always available to answer individual questions on Code of Conduct issues (subject to any conflict issues in the event that a complaint is being dealt with). Where Cabinet or Council are to consider issues where it is known that there are particular Code of Conduct issues, written advice is generally circulated in advance to the relevant elected members.

Does the standards committee have a forward work plan?

Yes

If yes, who outside of the standards committee is involved in agreeing the forward work plan? Please explain below.

The work plan is prepared by the Monitoring Officer in consultation with the Chief Executive and Deputy Monitoring Officer, and approved by the Committee.

Is the standards committee given a role in reviewing amendments to the Authority's Constitution (or Standing Orders where appropriate)?

Yes

If yes, when was the last review undertaken and what was the standards committee's role in the review? Please explain below.

The Standards Committee's role is limited to reviewing local Protocols relating to the conduct of Members and the Council's Whistleblowing Policy. The Whistleblowing Policy was reviewed in January 2009, and the Planning Protocol in September 2007. Other amendments to the Constitution are within the terms of reference of the Audit Committee and the Council Business Committee

Standards committee meetings.

Please use the table below to indicate how many times between 01/04/2008 and 31/03/2009 the standards committee has met and for what reasons.

Reason for meeting	Number of times met between 01/04/2008 and 31/03/2009
General meeting of whole standards committee	4
Training	1
Assessment sub-committee	5
Review sub-committee	1
Consideration meeting	0
Hearing	0
Other	0



Standards committee - annual report

Does the standards committee produce an annual report on its own work?

Yes

Is the annual report received by a meeting of the full authority?

Yes

Is the annual report sent to all members?

Yes

Is the annual report sent to all senior officers?

No

How is the annual report publicised to the general public?

Through publication of the agenda of the Council meeting at which it is considered.



Standards committee - promoting standards

What else does the standards committee do to communicate the role of the standards committee and the importance of high standards internally within the authority to members and officers?

The Chairman attends the meeting of full Council at which the annual report is considered, in order to present the report and answer questions from Members. Independent Members of the Committee attend member training on the Code of Conduct and induction for new members. The Chairman and the Committee have made it known to the Chief Executive that they are happy to champion standards jointly with him where this would be helpful. However, it has not been necessary to meet with the Chief Executive over the last twelve months.

What else has the standards committee done to promote confidence in local democracy to the wider public?

Information about the Committee's work and in particular the new regime for the local consideration of complaints has been publicised in the Council's magazine which is circulated to all households in the district. In May 2008, information was circulated to libraries, universities and Citizens Advice Bureaux about the new procedure for dealing with complaints.

Has the authority, or the standards committee in particular, considered how it will monitor and ensure high standards of behaviour when the authority is working in partnership with other organisations?

Yes

Please provide examples.

The Council's internal auditors have taken the lead in developing a framework for the performance management and scrutiny of the Council's major partnerships, including a 'mapping' exercise to identify the number and type of existing partnerships and the introduction of a Partnership Development and Evaluation Toolkit aimed at evaluating the effectiveness of individual partnerships and the Council's involvement in them. Conduct issues will be considered in this context.



Standards committee - training

Between 01/04/2008 and 31/03/2009, has the authority assessed the training and development needs of members in relation to their responsibilities on standards of conduct?

Yes

What training needs were identified?

The Standards Committee considered training needs in June 2008, mindful that considerable training for city and parish councillors had been undertaken in May/June 2007 following the council elections and adoption of the new Code of Conduct, and that further training was not immediately required. It suggested contacting the parish councils to establish whether they would welcome training arranged in geographical groups. Unfortunately there was no positive response from the parish councils. It was also envisaged that refresher training would be offered to city councillors prior to a Council meeting. However, this had been deferred in anticipation that a revised Code of Conduct would have been ready for implementation at this time.

Please provide a list of training and development opportunities that have been provided to members and officers in the

period from 01/04/2008 and 31/03/2009, that are relevant to ensuring high standards. Your list should include any training that relates to the operation of the local standards framework, e.g. local assessment, hearings etc.

Standards Committee members received training on the new framework by considering cases from the SBE's local filter pilot in June 2008. (Other cases had been considered at a training session in January 2008). The formal meeting of the Committee that adopted the assessment procedures and criteria was in effect a training session on the new regime. The Chairman and Deputy Monitoring Officer attended the Annual Standards Assembly in October 2008. The Vice-Chairman and the Monitoring Officer attended a training event in January 2009 run by Cumbria County Council at which the Standards Board was represented.



Leadership

How often has the standards committee, or its chair, met the chief executive to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

None

Please also provide an overview of what the meetings were about.

Whilst the Chairman has made it known to the Chief Executive that he is happy to champion standards jointly where this would be helpful, a meeting has not been necessary in the last twelve months.

How often has the standards committee, or its chair, met the leader of the council to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

None

Please also provide an overview of what the meetings were about.

How often has the standards committee, or its chair, met the other party group leaders to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

None

Please also provide an overview of what the meetings were about.

Does the standards committee, or its chair, have regular access to the monitoring officer? How regular?

Access is available whenever required.

How many times in the last 12 months (from 01/04/2008 to 31/03/2009) has the standards committee chair been invited to address a full authority meeting?

None

Does the monitoring officer sit on the Corporate Management Team, or equivalent?

Yes

Has an executive member (or senior member where appropriate) been given portfolio responsibility for standards?

No



Complaints

Can the public access information, from the authority website, about how to make a complaint against a member?

Yes

What else has the authority done to advertise the complaint process on member conduct to the general public?

Information in the Council's magazine circulated to all households in the district. Press release. Notices were posted in the City Council's Customer Service Centres, and all libraries, universities, Citizens Advice Bureaux and parish councils in the district were requested to display the notice.

Has the authority sought feedback from any of those people involved in an allegation of member misconduct about their satisfaction with the member conduct complaint process (for example the complainant, witnesses or person against whom the allegation was made)? Please choose from responses below.

No, have not sought feedback

How does the authority communicate the outcome of investigations into member conduct to:

a) members

The Council has not yet had any investigations, but the outcome of a hearing would be notified to the subject member in accordance with the Regulations. The outcome of the hearing would be included in the summary of all complaints, which is submitted at six monthly intervals to the Standards Committee, and in the annual report to Council.

b) officers

The outcome would only be notified to relevant officers -eg Chief Executive, Deputy Monitoring Officer, and democratic and legal officers as appropriate.

c) the general public

The Council has not yet had any hearings, but would comply with the notice requirements as set out in the Regulations, and would issue a press release. The Standards Committee has adopted a protocol for dealing with press enquiries.

How does the authority communicate the outcome of allegations into member conduct which have NOT resulted in an investigation (for example those allegations which have not been referred for investigation and those allegations which have resulted in other action) to:

a) members

Subject member and complainant notified formally in writing immediately. Six monthly summary of all complaints and outcomes is presented to Standards Committee, and annual report to Council includes summary of complaints and outcomes.

b) officers

Only to relevant officers -eg Chief Executive, Deputy Monitoring Officer, and democratic and legal officers as appropriate.

c) the general public

The summary of the Assessment Sub-Committee is available for inspection by the public in accordance with the Regulations. The Standards Committee has adopted a protocol for dealing with press enquiries.



Member officer relations

Does the authority have a protocol for relations between members and officers?

Yes

How is the protocol communicated to officers and members?

The Protocol is included in the Council's Constitution, and is brought to the attention of individual members or officers, as required, by the Chief Executive or Monitoring Officer.

What is the mechanism for reviewing the effectiveness of this protocol?

This is within the terms of reference of the Standards Committee.

Does the authority include training on the importance of high standards of behaviour in the inductions of new members and

officers?

Yes

Does the authority have informal mechanisms for dealing with member/officer and member/member disputes?

Yes

Please provide details of any mechanisms and, if possible, provide an example where this has been used.

Informal discussions between the Chief Executive or Corporate Director and individual member and/or group leader. An example is where a member had criticised an officer in the press, and this was resolved informally.



Registering member interests

Is the member register of interests accessible to the public on the authority website?

No

Please briefly explain whether there is any particular reason why not.

It is not considered that this would meet the requirements of the Data Protection Act 1998, and in particular the data protection principles. Publishing the register on the website would go considerably further than making it available for public inspection, and poses far wider risks of misuse.

Is the register of gifts and hospitality available to the public on the authority website?

No

What does the authority do to signal to members the importance of declaring interests and completing the register of interests and the register of gifts and hospitality?

The Monitoring Officer conducts an annual review whereby members are required to complete either a change form or a declaration that there have been no changes since the last form was completed. The outcome of the review is reported to the Standards Committee. Parish clerks are also requested annually to remind their councillors of the need to keep the register up to date. Written advice is given to members where there are particular issues arising in relation to interests, and oral advice is given as appropriate at meetings.



Officer conduct

Does the authority have a code of conduct for senior officers?

Yes

Does the authority compile a register of senior officers' interests?

Yes

If yes, is the register of senior officers' interests available to the public on the authority website?

No

Does the authority compile a register of senior officers' gifts and hospitality?

Yes

If yes, is the senior officers' register of gifts and hospitality available to the public on the authority website?

No



Optional questions

The following questions are optional; you do not have to complete them if you do not wish to. However, this information would be useful to us in helping us to raise ethical standards.

On what issues, if any, would you appreciate more support or guidance on from the Standards Board for England?

The Standards Board for England, the Improvement and Development Agency and the Audit Commission have developed a toolkit that authorities can use to assess the ethical governance arrangements in their authority, and also to identify improvements.

Has your authority used the ethical governance toolkit?

No

If no, has your authority considered using the ethical governance toolkit?

Yes



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