



Leicester
City Council

MEETING OF THE STANDARDS COMMITTEE

DATE: WEDNESDAY, 16 SEPTEMBER 2009
TIME: 5.30 PM
PLACE: COMMITTEE ROOM 2, 1ST FLOOR, TOWN HALL

Members of the Committee

Councillors Corrall, Draycott, Keeling, Scuplak, Shelton and Thomas

Mrs Sheila Brucciani (Independent Member) (Chair)
Ms Kate McLeod (Independent Member)
Ms Mary Ray (Independent Member)

Members of the Committee are invited to attend the above meeting to consider the items of business listed overleaf.

for Director of Democratic Services

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Leicester City Council*
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INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Committees, as well as meetings of the full Council.

There are procedures for you to ask questions and make representations to Scrutiny Committees, and Council. Please contact Democratic Support, as detailed below for further guidance on this.

You also have the right to see copies of agendas and minutes. Agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk or by contacting us as detailed below.

Dates of meetings are available at the Customer Service Centre (New Walk Centre, King Street), Town Hall Reception and on the Website.

There are certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

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BRAILLE/AUDIO TAPE/TRANSLATION

If there are any particular reports that you would like translating or providing on audio tape, the Democratic Services Officer can organise this for you (production times will depend upon equipment/facility availability).

INDUCTION LOOPS

There are induction loop facilities in meeting rooms. Please speak to the Democratic Services Officer at the meeting if you wish to use this facility or contact them as detailed below.

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Heather Kent, Democratic Support on (0116) 229 8816 or email heather.kent@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda, and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

3. MINUTES OF PREVIOUS MEETINGS **Appendix A**

The minutes of the meetings of the Standards Committee, held on 15 July 2009 and 11 August 2009 are attached, and the Committee is asked to confirm them as correct records.

4. DISCUSSION WITH THE LORD MAYOR

The Lord Mayor, Councillor Roger Blackmore, has been invited to the meeting to discuss issues of standards and ethics within the Council and Full Council meetings.

5. TERMS OF REFERENCE OF THE STANDARDS SUB-COMMITTEES **Appendix B**

The Director of Legal Services submits amended Terms of Reference for the Standards Sub-Committee (Initial Assessment) and Standards Sub-Committee (Review), following comments at a previous meeting of the Standards Committee. Members are recommended to approve the Terms of Reference.

6. LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION BILL **Appendix C**

The Director of Legal Services submits a report that provides members of the Standards Committee with background on the Local Democracy, Economic Development and Construction Bill currently going through Parliament. Members are recommended to note the report.

7. STANDARDS BOARD FOR ENGLAND - YEARLY RETURN SUBMISSION STATISTICS 2008-09 **Appendix D**

The Director of Legal Services submits a report that provides information on the Standards Board for England's analysis of complaints relating to the Code of Conduct. Members are asked to note the report.

8. ETHICAL GOVERNANCE REPORT - AUDIT COMMISSION

Appendix E

The Director of Legal Services submits a report that considers the Audit Commission's report on Leicester City Council's approach to ethical governance. Members are recommended to note the report and consider how they wish to take forward the recommendations contained in the Audit Commission report.

9. DELEGATED DECISION-MAKING TO CABINET MEMBERS

The Director of Legal Services will give a verbal outline regarding amendments to the delegated authority that will reside with Cabinet Leads. Members are recommended to note the verbal report.

10. ANNUAL REPORT TO COUNCIL

The Standards Committee is asked to consider whether it wishes to submit an annual report to Council on the work of the Committee, what this report should include, and when they wish this report to be submitted.

11. LGIU POLICY BRIEFING - PUBLIC PERCEPTION OF ETHICS

Appendix F

The Director of Legal Services submits a policy briefing from the Local Government Information Unit (LGIU) that presents findings of the Standards for England June 2009 research undertaken to monitor and identify changes over time in levels of public trust and expectations in Member conduct. Members are recommended to note the briefing.

12. STANDARDS FOR ENGLAND BULLETIN 45

Appendix G

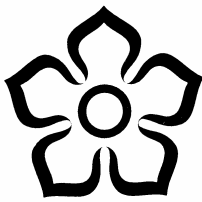
The Director of Legal Services submits the latest Bulletin from Standards for England. Members are recommended to discuss and note the contents of the Bulletin.

13. STANDARDS COMMITTEE WORK PROGRAMME

Appendix H

The Director of Legal Services submits a work programme for the Standards Committee for the municipal year 2009-10. Members are recommended to note the work programme.

14. ANY OTHER URGENT BUSINESS



Leicester
City Council

Appendix A

Minutes of the Meeting of the STANDARDS COMMITTEE

Held: WEDNESDAY, 15 JULY 2009 at 5:30 pm

P R E S E N T:

Mrs Sheila Brucciani (Independent Member) - Chair

Ms Mary Ray

Independent Member

Councillor Draycott
Councillor Scuplak

Councillor Keeling
Councillor Shelton

I N A T T E N D A N C E

Sheila Lock, Chief Executive

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65. APOLOGIES FOR ABSENCE

Apologies were received from Kate McLeod, Councillor Corrall and Councillor Thomas.

66. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda and/or declare that Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were made.

For information, Councillor Shelton declared, in respect of Item 7, "Revisions to the Code of Practice for Member Involvement in Development Control Decisions," that he was Vice-Chair of the Planning and Development Control Committee.

67. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of the Standards Committee, held on 13 May 2009, be confirmed as a correct record.

68. MEMBERSHIP OF THE STANDARDS COMMITTEE

RESOLVED:

that the membership of the Standards Committee for the municipal year 2009/10 be noted.

69. TERMS OF REFERENCE AND ESTABLISHMENT OF THE STANDARDS SUB-COMMITTEES

The Committee considered issues regarding the Terms of Reference for the Standards Committee and the Standards Sub-Committees (Initial Assessment and Review.)

In response to questions about the Committee's role in scrutinising corporate governance, it was noted that the main responsibility for this lay with the Audit Committee, and that the Standards Committee would not look at this in detail.

Members discussed the membership of the Sub-Committees, noting that where a sub-committee consisted of four members and there was no consensus or majority decision, the Chair would exercise the casting vote. The Committee agreed that this should be added to the text of the Terms of Reference for the Sub-Committees for both initial assessments and reviews. It was noted that the optimum number of Members for the sub-committees was four, to avoid the risk of inquoracy and to ensure that there would not be a shortage of members able to take part in review. The meeting also discussed issues of political balance, and it was suggested that the following wording be included in the Sub-Committees' Terms of Reference: "Although not required by law, the Sub-Committee will, wherever possible, reflect the political balance of the Council."

Members asked that reference be made in both sub-committees' terms of reference, to them meeting as and when required. They also asked for paragraph 1 of the Terms of Reference for reviews to be amended to state, "...to review, as necessary, a decision to take no further action..."

RESOLVED:

- 1) that the Terms of Reference of the Standards Committee be noted; and
- 2) that the Monitoring Officer be instructed to amend the Standards Sub-Committees' Terms of Reference to include the comments made above, and to report back to the next meeting of the Standards Committee.

70. DISCUSSION WITH THE CHIEF EXECUTIVE

The Chief Executive attended the meeting to discuss issues of standards and ethics within the Council. She thanked Members for inviting her. She explained that the Council was progressing with an organisational development and improvement plan, which would help to embed ethical principles within the Council's work. The Chief Executive stated that the Council aimed to be clearer

and more open about how it went about its business and align its aims with what residents wanted, whilst identifying how to run efficiently and be value for money. Leadership had been put in place that modelled good practice, and this would enable staff to understand their roles. Good leadership underpinned the Corporate Plan and Organisational Improvement Plan, which were currently going through the decision-making process.

The Chief Executive stated that she welcomed the Standards Committee's input into developing good practice within the Council. She stated that she had considered the details of authorities that had been identified as examples of good practice by the Standards Board for England; and that she had spoken to the Chief Executive of Rossendale Council, noting how they had linked standards issues to their organisational improvement agenda, and the importance of good communication to promote standards issues. She stated that the Strategic Management Team were committed to developing standards through the organisational improvement programme.

The Chief Executive stated that it was important to develop mechanisms for mediation and brokering to resolve difficulties at an informal level. The Committee supported this suggestion, asking that further work be done on this to establish informal resolution mechanisms. It was noted, however, that, with regard to complaints against Councillors, the prescribed process was very formal and may not allow for a level of informal mediation. The Monitoring Officer stated that he would look into whether any form of mediation was possible within the current standards framework and report back to the Committee.

The meeting considered whether the work of the Standards Committee should be more widely publicised to show that issues were taken seriously in the Council. It was noted that previous publicity issued by the County Council led to an increase in complaints against councillors within the City. It was felt that any publicity should be in conjunction with other areas of work, such as the introduction of informal mediation. Members suggested that an annual report could be produced outlining the work of the Committee. Other options included a newsletter or the use of existing Council publications.

The Chair thanked the Chief Executive for the discussion and invited her to attend a meeting of the Committee in a year's time.

RESOLVED:

that the Monitoring Officer be instructed to consider options for introducing informal mediation with regard to complaints against Councillors, prior to further publication of the work of the Standards Committee.

71. REVISIONS TO CODE OF PRACTICE FOR MEMBER INVOLVEMENT IN DEVELOPMENT CONTROL DECISIONS

The Head of Environment and Advocacy Law submitted a report that enabled the necessary approvals to be given for further revisions to be made to the

Council's current Code of Practice for Member Involvement in Development Control Decisions. The Head of Planning Management and Delivery was also present to answer Members' questions.

The main areas of change were pointed out to the Committee and Members discussed Paragraph 4.2 regarding Committee Members' need to obtain a substitute for the whole meeting if they wished to speak on an application. It was noted that, if a Member had a prejudicial interest, they would not be able to speak on the item at all. Members also considered the need for guidance regarding involvement in pre-application discussions, noting that some issues were of interest to a large part of the community. They discussed the issue of predetermination, and it was noted that if a Member had expressed an opinion in a meeting on an application that was subsequently deferred, they would be asked if they were still open-minded about it.

The meeting discussed concerns regarding the lack of influence local councillors had over planning applications. Members asked if they could be more involved in the pre-application discussions with developers. They also discussed the issue of site visits. It was reported that the need for site visits was reduced by the introduction of presentation technology, and that, when visits were requested, very few Members attended them. Members stated that it was important to retain the opportunity to call for a site visit, as this showed the community that the Council was taking an interest. It was reported that the original reduction in site visits was driven by Government targets. This pressure had since reduced, as targets were consistently being met.

RESOLVED:

that the Standards Committee notes the proposed revisions and confirms its agreement to the revised Code of Practice being submitted to Council.

72. CODE OF PRACTICE - MEMBER INVOLVEMENT IN LICENSING DECISION-MAKING

The Head of Environment and Advocacy Law led a discussion concerning the proposed Code of Practice for Member Involvement in Licensing Decisions. He reported that a draft Code had been prepared and this was being considered by the Chair of the Licensing Committee. Work was to be done to combine this Code and the Code that existed for hearings under the Licensing Act 2003.

RESOLVED:

that the progress on developing a Code of Practice for Member Involvement in Licensing Decisions be noted, and that this be added to the Work Programme for consideration at a future meeting of the Standards Committee when the Code had been prepared.

73. CORPORATE GOVERNANCE ANNUAL REPORT

The Director of Resources submitted a report that enabled compliance with the

requirements of the Council's Corporate Governance Code by carrying out an annual review, reported the position regarding Local Government Ombudsman complaints and informed the Council's Annual Governance Statement.

It was noted that the framework was based on SOLACE and CIPFA advice and the adoption of six principles of good governance. The overall picture of the report was positive, and there had been progress in the communication strategy. There was slippage in information governance, but there was a strong, clear plan for improvement, and it was proposed to centralise functions for tighter control.

Members considered Paragraph 3.2(c) of Appendix 3, "Develop and maintain an effective standards committee," noting that this had been done by establishing the sub-committees and devising a comprehensive work programme. The Director of Legal Services stated that a recent District Auditor report had been positive on this matter. Members also considered details of local settlements, and it was reported that the Audit Committee had recommended the implementation of a tracking system to identify improvements following such settlements.

Members noted that the report was a good management tool for the whole of the Council's business. They stated that they would only wish to see the annual report, and that the Audit Committee should consider the quarterly report.

RESOLVED:

that the Standards Committee notes the report and agrees to receive only the annual report in future.

74. STANDARDS BOARD FOR ENGLAND GUIDANCE ON OTHER ACTION

The Director of Legal Services submitted guidance from Standards for England regarding guidance on taking other action concerning complaints against councillors.

It was pointed out that it was important to consider other action wherever possible, weighing up the public interest in this option against taking formal action. However, other action was not mandatory and could not be enforced. There needed, therefore, to be a willingness from the Councillor concerned to co-operate. Members could ask for a report back from the Monitoring Officer on the outcome of other action. There was also provision for an assessment or review to be adjourned to ascertain co-operation, although Members felt that this would be helpful only in a very few circumstances, and that there was a risk that once other action had been determined, a Councillor may then refuse to co-operate. It was reported that such non-co-operation could, in some serious cases, itself be a breach of the Code of Conduct.

RESOLVED:

that the guidance on other action be noted.

75. NEW REGULATIONS AND GUIDANCE ON DISPENSATIONS

The Director of Legal Services submitted guidance from Standards for England regarding dispensations for Members allowing them to speak and vote at a meeting when they had a prejudicial interest.

It was noted that, if such a dispensation was required (which would be very rare), a special meeting of the Standards Committee or Sub-Committee would be convened to determine the matter.

RESOLVED:

that the guidance on dispensations be noted.

76. STANDARDS BOARD FOR ENGLAND BULLETIN 44

The Director of Legal Services submitted the Standards For England Bulletin 44 for consideration by the Committee.

Members considered the information on quarterly returns. They noted the differences in rates of “no further action” decisions, comparing Leicester to the national picture. They were informed that figures for district councils affected the overall totals, as they dealt with parish council complaints, where there was a significant amount where no further action was not considered.

Members stated that, when no further action was taken, it was important to word responses carefully, to show that the council took complaints seriously, and had considered them in full.

RESOLVED:

that the Standards Board for England Bulletin 44 be noted.

77. STANDARDS COMMITTEE WORK PROGRAMME

The Director of Legal Services submitted a report that detailed the Standards Committee Work Programme.

Members asked for target dates to be firmed up in the document and for the Code of Practice for Member Involvement in Licensing Decisions be added. They also asked for the issue of mediation and the investigation of an informal option for dealing with complaints to be included. The Chief Executive was also to be invited to the Committee annually.

Members asked that the Lord Mayor be invited to the next meeting, and on an annual basis, and that the date be changed or a special meeting be arranged if he was not available.

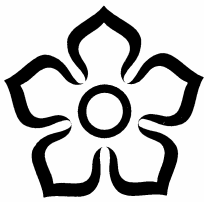
RESOLVED;

that the Standards Committee Work Programme be amended to include the comments mentioned above.

78. CLOSE OF MEETING

The meeting closed at 7.35pm.

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Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: TUESDAY, 11 AUGUST 2009 at 6:00 pm

P R E S E N T:

Mrs Sheila Brucciani (Independent Member) - Chair

Ms Kate McLeod
Ms Mary Ray

Independent Member
Independent Member

Councillor Corral
Councillor Scuplak

Councillor Draycott
Councillor Shelton

Councillor Thomas

* * * * *

79. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Keeling.

80. DECLARATIONS OF INTEREST

Members were asked to declare any interests that they may have in the business on the agenda and/or declare if Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were made.

For the avoidance of doubt, with regard to the item, "Complaint Against a Councillor: to Consider the Investigator's Findings," it was noted that the majority of Members had attended the meetings of the Standards Sub-Committee Initial Assessment or Review. As this meeting was a new stage in the process, this would not prevent any Members from considering the matter.

81. PRIVATE SESSION

Members of the Committee considered whether to discuss the item, "Complaint Against a Councillor: to Consider the Investigator's Findings" in private. They noted that this was the third stage in the complaint, and that the previous stages had been considered in private. They also noted that items should be considered in public, unless there were clear reasons to keep it private.

Members noted the relevant paragraphs from Section 100A(4) of the Local

Government Act 1972, as amended. They also considered whether it was in the public interest to consider the matter in public or private. As the investigator had concluded that there was no finding of fault on the part of the Councillor, Members felt that it would be in the public interest to consider the matter in private.

RESOLVED:

that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 7(c)

The deliberations of a Standards Committee or other Sub-Committee of a Standards Committee established under the provisions of Part 3 of the Local Government Act, 2000 in reaching any finding on a matter referred under the provisions of Section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.

Paragraph 1

Information relating to any individual

Paragraph 2

Information which is likely to reveal the identity of an individual

COMPLAINT AGAINST A COUNCILLOR: TO CONSIDER THE INVESTIGATOR'S FINDINGS

82. COMPLAINT AGAINST A COUNCILLOR: TO CONSIDER THE INVESTIGATOR'S FINDINGS

The Monitoring Officer submitted a report that enabled the Committee to consider the findings of an independent investigator regarding a complaint that had been made against a Councillor.

Members discussed matters of process. These included issues that had arisen through the complaint's history, concerns about the Regulations, and the options open to the Committee at this stage. It was noted that the Committee could either agree with the Investigator's findings of no failure to comply with the Code of Conduct and consider the matter closed, or could disagree if they had very clear reasons, in which case the complaint would go to a hearing.

Some Members expressed concern that the report had made a

recommendation, and felt that this removed their responsibility to decide based on the facts. The Monitoring Officer assured them that this was the correct process, as it was not the job of the Committee to investigate. He agreed to look at other authorities, to see if they did this differently. It was noted that this case had been dealt with by an external investigator, but that there was now sufficient expertise within the Council to carry out future investigations, with the exception of particularly sensitive cases.

Members considered the Investigator's report in full detail, noting that it had been a long process, and that there had been a lack of co-operation on behalf of the subject Member. The expressed concern at this, stating that they expected full co-operation from Members who were under investigation. A lack of co-operation could, in itself, constitute a breach of the Code of Conduct by bringing the Authority into disrepute. However, they acknowledged the particular difficulties and lack of clarity in this case, noting that the subject Member may have been confused about the issues that had been referred for investigation. It was noted that the detail supplied for the complaint had been difficult to separate, and it had been supplied to the investigator as a whole, as per the Review Sub-Committee.

Members noted that the subject Member had made several requests for information. The Monitoring Officer confirmed that all information he was entitled to had been supplied. They also received confirmation that the investigator's approach to meeting with him had been appropriate.

In considering the contents of the investigation, Members agreed that part of the complaint related to a neighbour dispute, and was not within the remit of the Code of Conduct. With regard to the second part of the complaint, they agreed that there was no evidence to confirm that the subject Member had been acting in his capacity as a Councillor, and, therefore, was not a breach of the Code of Conduct.

Members noted that, following the decision of this meeting, a public notice was required; however, if it was agreed that there had been no breach of the Code of Conduct, the subject Member had the right to refuse to allow this to be published.

Members thanked the Monitoring Officer for the work he had done on this complaint, often in challenging circumstances. They asked for an information pack to be produced for Councillors who were under investigation, explaining the process, what to expect, and what was expected of them. They also asked for such Councillors to be assigned a support officer to guide them through the process.

RESOLVED:

- 1) that the Standards Committee agrees with the investigator's findings, that no breach of the Code of Conduct had been identified, and, therefore, that the matter is now concluded;
- 2) that the Standards Committee instructs the Monitoring Officer

to publish a notice in the local newspaper of the Committee's findings and reason for decision, unless the Councillor concerned exercises their right to insist that the notice is not published anywhere;

- 3) that the Monitoring Officer be instructed to produce a guidance leaflet for Councillors under investigation outlining the process and expectations;
- 4) that information be supplied to Councillors regarding the expectation of full co-operation if, and when, they were being investigated.
- 5) that the Monitoring Officer be instructed to carry out a review of the complaints process, relating to investigations, and report his findings to a future meeting of the Standards Committee.

83. CLOSE OF MEETING

The meeting closed at 7.08pm.

Appendix B

STANDARDS COMMITTEE

Terms of Reference

1. To oversee and promote the Council's arrangements to ensure and maintain probity and the highest standards of governance in the conduct of business by members (including co-opted members) and officers.
2. To oversee and advise full Council and Cabinet on matters relating to the Council's corporate governance and ethical framework.
3. To receive the Council's annual Corporate Governance Review Statement.
4. To oversee, promote, monitor observance and recommend necessary change to Members' and officers' Codes of Conduct and Political Conventions.
5. To oversee and ensure the provision of appropriate training to Members and officers to enable them to adhere at all times to the provisions of the Council's Political Conventions and governance arrangements.
6. In accordance with the relevant legislation and associated Guidance, to hear and determine any allegation that a Member of the Council has failed, or may have failed, to comply with the Council's Code of Conduct.
7. To oversee the process and, through its Sub-Committees, initially assess and review as necessary written allegations submitted to the Council that an Elected or Co-opted Member of the Council has failed or may have failed to comply with the City Council's Code of Conduct for Members.
8. In the event of there being a local investigation of an allegation, to decide, with reasons, the outcome of the investigation and to exercise its powers and sanctions.
9. To consider under Sections 1 and 2 of the Local Government and Housing Act 1989:-
 - (a) any application received from any officer of the Council for exemption from political restriction in respect of the post held by that officer and may direct the Council that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Council under Section 2(2) of that Act; and,
 - (b) upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Council under Section 2(2) of the 1989 Act, and may direct the Council to include a post in that list.

Matters Reserved to the Committee:

1. All matters of significance are reserved to the Committee save as set out in the Terms of Reference of its established Sub-Committees.
2. All matters within the Terms of Reference of the Standards Committee which are not reserved to full Council or this Committee, either by legislation, regulation or local determination, are delegated to the Town Clerk.

STANDARDS SUB-COMMITTEE (INITIAL ASSESSMENT)

Terms of Reference.

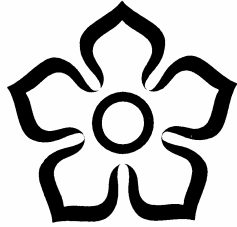
1. In accordance with the relevant legislation and associated Guidance, the Sub-Committee is empowered to initially assess and decide upon all written complaints received by the Council's Monitoring Officer which allege that an Elected or Co-opted Member of the Council has failed or may have failed to comply with the City Council's Code of Conduct for Members.
2. To authorise the Monitoring Officer to take all reasonable steps to implement its decision(s), with reasons, and to notify the person making the allegation and the Member concerned of that decision.
3. In the event of there being a local investigation, the Standards Sub-Committee (Initial Assessment) shall determine, with reasons, whether:-
 - (i) it accepts the Monitoring Officer's finding of no failure to observe the Code of Conduct;
 - (ii) the matter should be referred for a hearing of the Standards Committee; or,
 - (iii) the matter should be referred to the Adjudication Panel for determination.
4. Composition – The Standards Sub-Committee (Initial Assessment) shall comprise of 4 Members, one of whom shall be an Independent Member of the Standards Committee (who will also Chair the Sub-Committee), and three Elected Members of the Council. Although not required by law, the Sub-Committee will, wherever possible, reflect the political balance of the Council. Where a Sub-Committee consists of four members and there is no consensus or majority decision the Chair will exercise the casting vote.
5. Quorum – The quorum for a meeting of the Standards Sub-Committee (Initial Assessment) shall be 3 Members (with an Independent Member as Chair).
6. Frequency of Meetings –The Standards Sub-Committee (Initial Assessment) will meet as and when required necessary to initially assess any allegation received.

STANDARDS SUB-COMMITTEE (REVIEW)

Terms of Reference

1. In accordance with the relevant legislation and associated Guidance, to review, as necessary, ~~any~~ decision by the Standards Sub-Committee (Initial Assessment) to take no further action on a complaint against an Elected or Co-opted Member of the Council taken at a Hearing of the Standards Committee.
2. Composition – The Standards Sub-Committee (Review) shall comprise of 4 Members of the Standards Committee. One of the Members of the Standards Sub-Committee (Review) shall be an Independent Member of the Standards Committee (and Chair of the Sub-Committee). Although not required by law, the Sub-Committee will, wherever possible, reflect the political balance of the Council. Where a Sub-Committee consists of four members and there is no consensus or majority decision the Chair will exercise the casting vote.
3. Quorum – The quorum for a meeting of the Standards Sub-Committee (Review) shall be 3 Members (with an Independent Member as Chair of the Sub-Committee) and at least one Elected Member of the Council.
4. Frequency of Meetings – The Standards Sub-Committee (Review) shall meet as and when required to hear and review, as necessary, any decisions made against an Elected or Co-opted Member of the Council.

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Leicester
City Council

WARDS AFFECTED
All Wards

Standards Committee

16th September 2009

Local Democracy, Economic Development and Construction Bill

Report of the Monitoring Officer

1. Purpose of Report

To provide members of the Standards Committee with background on the Local Democracy, Economic Development and Construction Bill currently going through Parliament.

2. Recommendations

Members are invited to note the report.

3. Background

- 3.1 The Local Democracy, Economic Development and Construction Bill is currently working its way through the legislative process. The Bill completed its Lord stages on 29th April and was presented to the Commons on 30th April. The Bill was considered at Committee stage which was completed in mid June and will go through Report Stage in the Commons in October.

The Bill seeks to create greater opportunities for community and individual involvement in local decision making. It also provides for greater involvement of local authorities in local and regional economic development. In this it builds on the Government's White Paper in 2008 entitled '*Communities in Control: Real People, Real Power*'.

There are a number of disparate main elements to the Bill:

3.2 Promotion of Democracy

At the heart of the Local Democracy, Economic Development and Construction Bill are new rights for the citizen to have more information and influence over the local decisions; new powers to hold politicians to account and, where they choose, more opportunity to get directly involved in managing and shaping how local services are delivered.

3.3 Revision of responsibility for electoral boundaries

The Bill will legislate for a separate Boundary Committee to establish a strong national body that is solely focused on overseeing boundary changes (electoral, administrative and structural) in England. The Bill will thus remove that function from the Electoral Commission.

3.4 Economic Development

Local Authorities are to be given a new duty to assess economic conditions and to deliver a joint single regional strategy with Regional Development Agencies. Local authorities will also be expected to co-operate in promoting economic development.

3.5 Additional audit powers

New powers for audit authorities to appoint auditors to, and produce public interest reports on, entities connected to local authorities.

3.6 Multi Area Agreements

The Bill allows for a local authority to be nominated to lead on producing a multi area agreement with cooperation from partners. A multi area agreement will require at least two local authorities to be party to it.

3.7 Specific Provisions

3.7.1 Promotion of Democracy

There are a number of general requirements on local authorities pertaining to promoting democracy.

- It places a duty on local authorities to promote an understanding of their functions and democratic arrangements and how members of the public can get involved in democratic decision making;
- It requires local authorities to promote information and understanding of the role of councillors, how to become one and the support that is available to councillors to assist them in their role;
- It requires local authorities to promote an understanding of other public sector bodies/service providers (e.g. fire, police, health, FE sector) with a view to greater participation by local people. For example the local authority would be expected to publicise how to join various boards relating to those bodies;
- It requires local authorities to promote understanding of court boards, independent monitoring boards for prisons and immigration removal centres and Youth Offending Teams with a view to allowing greater participation by local people, as well as lay justices.

3.7.2 Petitions

- The Bill will place a duty on local authorities to make, publicise and comply with a scheme for handling both paper and electronic petitions. Greater transparency will be ensured by requiring authorities to respond to petitions which meet certain criteria and to make the responses available to the public;
- Local authorities will need to define what it considers a valid petition - based around the number of signatures (national government reserves the right to step in and amend but essentially the number needs to be small so as to allow, for example, residents from a small street to lobby for change – perhaps half a dozen to ten would suffice). This provision will not include planning, which is covered by existing processes;
- As a minimum, local authorities will need to respond to all petitions signed by those who live, study or work within the local authority boundary;
- In addition, local authorities will also be encouraged to respond to petitions from people outside their area. For example, parents living near a local authority boundary may have children attending schools in a neighbouring borough. Similarly, people who travel, work and spend their leisure time in the area should have the right to petition about services.
- The Bill (or more likely a Statutory Instrument) will determine a threshold (number of petitioners) above which the petition would automatically trigger a debate of full Council. This is likely to be 5% but central government are likely to encourage city councils to lower that figure because of the population density.
- The Bill will give petition organisers a right of appeal/review of the response to their petition.

3.7.3 Petitioning of senior officers

Senior officers may now be formally called to account at public overview and scrutiny meetings through a petition. Local authorities must decide which officers may be called upon in this context i.e. Chief Executive, service directors and, again, a threshold will need to be determined to trigger this.

3.7.4 Scrutiny

- Local authorities will be required to appoint a “scrutiny officer” who will promote scrutiny within the authority and with external partners. They will also be required to ensure all pertinent information is provided to the scrutiny function in order to undertake their role effectively.

- The “scrutiny officer” is not allowed to be the Chief Executive, the Monitoring Officer or the Chief Finance Officer. The precise role for the “scrutiny officer” is not prescribed by the legislation as it will be for local authorities to determine what they want from the role.
- The Bill will give local authorities broader powers to set up joint overview committees with one or more bordering authorities. These committees need not be confined, in the future, to matters relating to improvement targets within the Local Area Agreement.

4.1 Economic Development

Local Authorities are to be given much more responsibility as regards economic development starting with an economic assessment of their area. Provision to create Leaders’ Boards will be enacted which will allow all local authorities in a given area to work together towards a Regional Strategy. That Strategy will replace the existing regional spatial strategy and the regional economic strategy.

The Leaders’ Board will, in practice, work with the RDA to produce these strategies. Economic Prosperity Boards will be created across England which will have responsibility for economic development and regeneration of an area. In due course they may take on certain roles currently played by local authorities within the regeneration remit.

4.2 Additional Audit Powers

The Bill is providing an extra power for Audit Commission to be able to appoint independent auditor to bodies associated with local authorities, for example the Economic Development Company in Leicester.

5. Implications for the Standards Committee

Whilst there is nothing in the Bill which falls specifically under the terms of reference of the Standards Committee there are implications for partnership working, scrutiny and the role of the councillor generally.

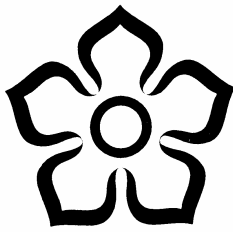
Further updates will be provided to the Standards Committee as the Bill makes its passage through Parliament.

6. Legal and Financial Implications

The report deals with the Local Democracy, Economic Development and Construction Bill currently going through Parliament.

7. Report Author

Gordon Armstrong, Members Support Officer
Gordon.Armstrong@leicester.gov.uk Tel: 0116 229 8824



Leicester
City Council

Appendix D

Standards Committee

16th September 2009

**Standards Board for England – Yearly Return Submission Statistics
2008/9**

Report of the Monitoring Officer

1. Purpose of Report

To provide information on the Standards Board for England's analysis of complaints relating to the Code of Conduct.

2. Recommendations

Members are asked to note the report.

3. Report

- 3.1 One of the roles of the Standards Board for England is to ensure the effectiveness of local standards arrangements. In order to do this, the Board collects information about those arrangements on a regular basis. The information so collected establishes a national picture of local complaints handling, and helps the Board identify, and provide support and guidance to those authorities which are experiencing problems.
- 3.2 All local authorities in England are required to submit a quarterly return to the Standards Board, setting out the number of complaints received in that quarter, and what action has been taken in respect of them. The following results have been compiled for the year 2008/9 by the Standards Board (or from 8th May to 31st March).
- 3.3 For the Committee's information we have provided a brief summary of cases in Leicester City Council against comparable authorities.

4. Financial and Legal Implications

There are no financial or legal implications arising directly from this report.

5. Background Papers

None.

6. Consultations

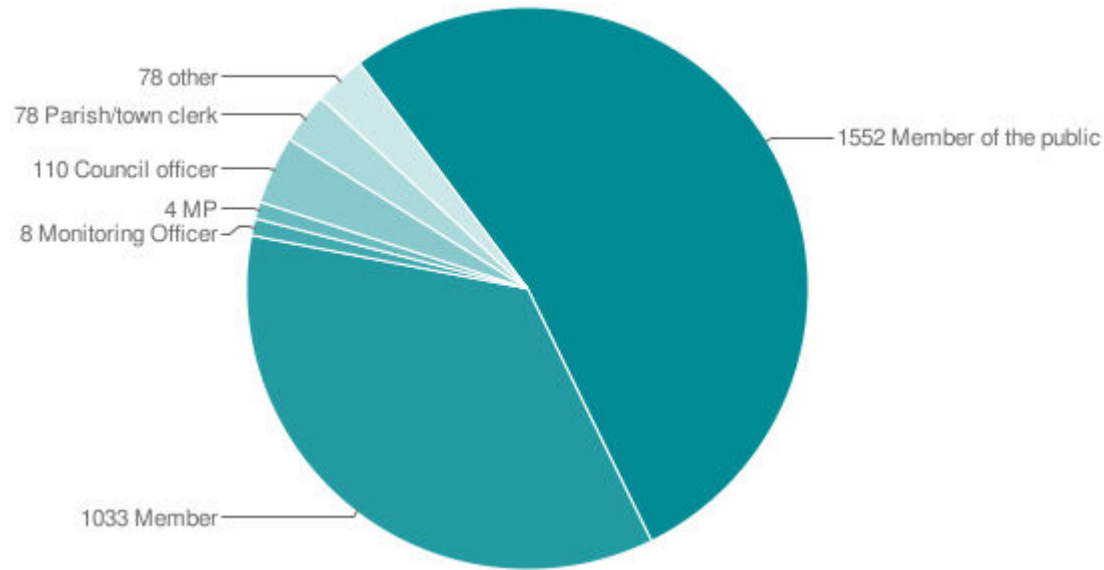
Nottingham and Derby City Councils, Leicestershire County Council
Democratic Services functions.

7. Report Author

Gordon Armstrong
Members Support Officer
(39) 8824

Statistics cover the period 8th May 2008 to 31st March 2009

SOURCE OF COMPLAINT



The split of cases by authority type is as follows:

Authority types	Number of cases	Average number of cases per authority
County Council	91	2.6
District Council	1796	7.5
London Borough	106	3.4
Metropolitan Council	310	9.1
Unitary	528	11.2
Other	32	0.4

Statistics cover the period 8th May 2008 to 31st March 2009

OUTCOME OF INITIAL ASSESSMENT

A decision about whether to refer had not been made on 170 (5.9%) of the cases received so far. The breakdown of decisions for the other 2693 cases is as follows:

Initial assessments	Number	Percentage (%)
Referred to another authority	6	0.2
Referred to Standards Board	166	6.2
Referred to MO for alternative measures	327	12.1
Referred to MO for investigation	780	29.0
No further action	1414	52.5

TIMELINESS OF DECISIONS

The guidance indicates that it should take, on average, 20 working days from receipt of a complaint to a referral decision being made.

- So far, the average length of time a case takes from date of receipt to referral decision is **20 working days**.
- However, **848** cases took longer than 20 days for a referral decision to be made (**31%**)

REVIEW REQUESTS

There have been **344** requests for reviews of referral decisions so far. This shows that a review is requested in **37%** of cases where the initial assessment decision is to not refer the complaint any further.

384 review requests have been assessed. **22** resulted in the case being referred for investigation (**6%**) and **3** resulted in the case being referred to the Standards Board (**less than 1%**).

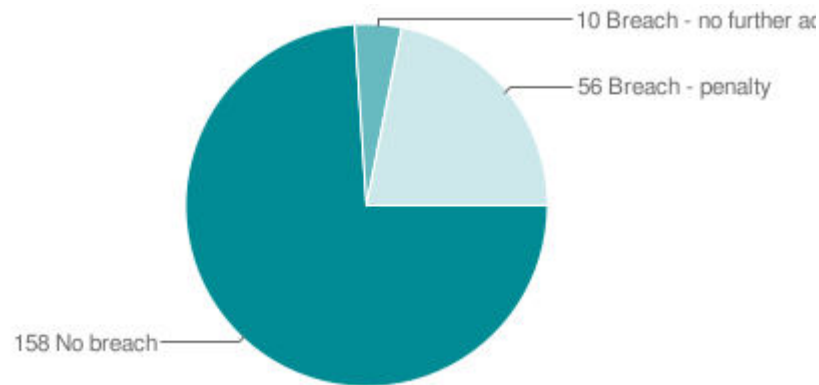
Statistics cover the period 8th May 2008 to 31st March 2009

INVESTIGATIONS

There are **233** cases referred for investigation that have standards committee determination meeting dates recorded on quarterly returns.

The average length of time between the date of the decision to investigate and the date of the determination meeting is **100** working days. This figure discounts cases that are recorded as 1 day or less from decision to determination.

There are **224** cases with investigation outcomes recorded on quarterly returns. The breakdown of these is:



Percentages are:

Percentage (%)	Outcome
71	no breach of the Code
4	breach but no further action.
25	breach with penalty

There are **132** breaches of the Code recorded under the **66** cases that were either breach with penalty or breach but no further action.

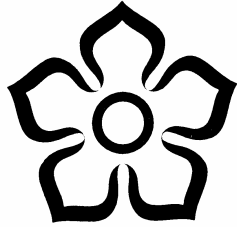
You must treat others with respect is the most common part of the Code that is breached.

Statistics cover the period 8th May 2008 to 31st March 2009

COMPARISONS BETWEEN LEICESTER / DERBY / NOTTINGHAM / LEICESTERSHIRE

	Number of complaints	Average Length of time from receipt to referral decision (Days)
Leicester	12	11.5
Derby	3	20
Nottingham	0	0
Leicestershire	9	12

Initial Assessment Outcomes	No further action	Referred to MO for further action	Refer to Standards Board	Refer to other authority	Refer to MO for investigation	Review of Initial Assessment	Review Requested	Review as % of (no further action) initial assessments
Leicester	11	0	0	0	1	Leicester	7	63
Derby	2	0	0	0	1	Derby	1	50
Nottingham	0	0	0	0	0	Nottingham	0	0
Leicestershire	2	5	0	0	2	Leicestershire	1	50



Leicester
City Council

WARDS AFFECTED
All Wards

Standards Committee

16th September 2009

Ethical Governance Report – Audit Commission

Report of the Monitoring Officer

1. Purpose of Report

To consider the Audit Commission's report on Leicester City Council's approach to ethical governance (attached).

2. Recommendations

Members are invited to note the report and consider how they wish to take forward the recommendations contained in the Audit Commission report.

3. Report

3.1 In July the Audit Commission produced a report on ethical governance arrangements in Leicester City Council. This was as a result of an audit carried out in 2007 and a workshop held in March 2009. The report highlights a number of improvements which have been led through the work of the Standards Committee.

3.2 The report also identified recommendations for further improvements as set out below, for implementation by March 2010:-

- a) The Council should build on its ethical governance training work by:
 - tailoring ethical governance training to councillor's needs identified through the development review process;
 - offering refresher training before elections and to update councillors about case law;
 - developing an ethical governance training package for managers and staff to include:
 - general awareness of ethics including the councillor perspective; and
 - officer code of conduct issues including declaration of gifts, hospitality and interests.
- b) The Council's Standard's Committee to develop an externally focused action plan so that:

- it is better understood by the Public and can publicise the Council's record on ethics; and
- it can clarify partnership conduct and governance issues for those engaged in joint working.

4. Legal and Financial Implications

None.

5. Report Author

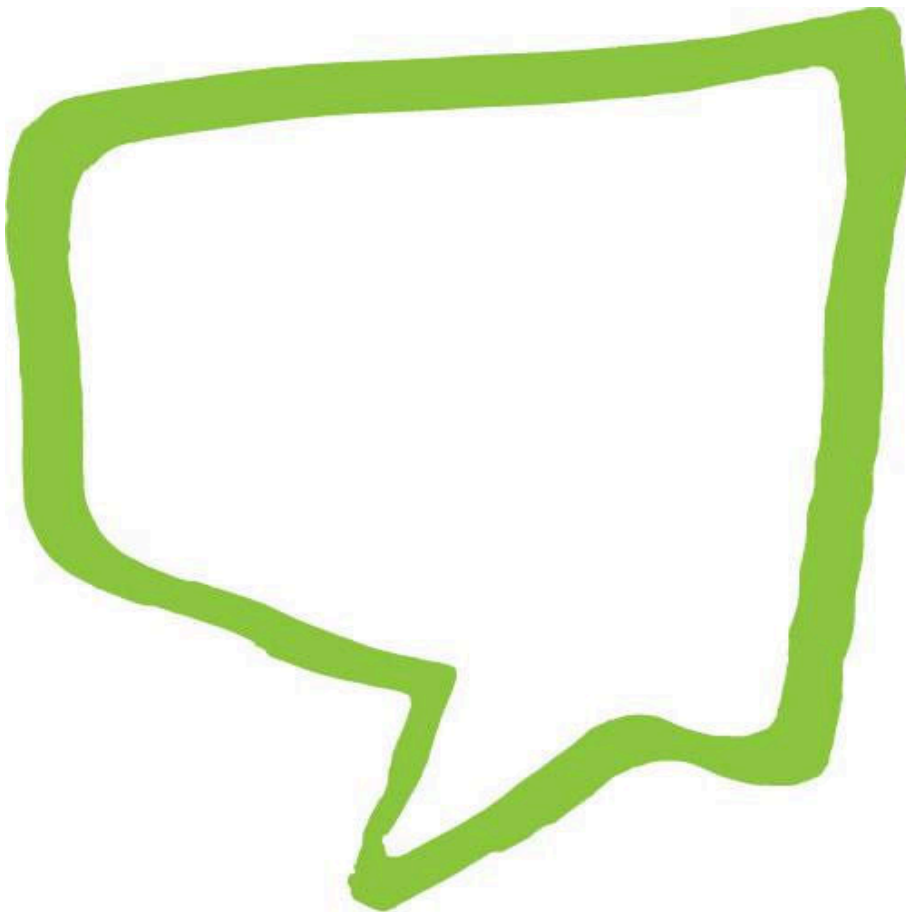
Liz Reid Jones, Head of Democratic Services
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Ethical Governance

Leicester City Council

Audit 2007/08

July 2009



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Status of our reports

The Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission explains the respective responsibilities of auditors and of the audited body. Reports prepared by appointed auditors are addressed to non-executive directors/ members or officers. They are prepared for the sole use of the audited body. Auditors accept no responsibility to:

- any director/member or officer in their individual capacity; or
 - any third party.
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Introduction

- 1 This report covers Leicester City Council's progress with implementing ethical governance between 2007 and 2009. The audit was carried out in two stages. In October and November 2007, the work involved a document review, a diagnostic survey and interviews with key councillors and officers. In March 2009 this was followed up with a workshop to discuss different ethical scenarios with councillors, and some senior managers also attended.
- 2 Ethical standards matter because good governance is linked to good sustainable improvement and trust in public services. High standards are expected by the public. Setting high ethical standards is an important building block for authorities who want to develop their community leadership role and maintaining high standards is crucial to ensuring effective partnerships.
- 3 Ethical governance is based on the principles of public life. These are: Selflessness, Honesty and integrity, Objectivity, Accountability, Openness, Personal judgement, Duty to uphold the law, Stewardship, and Leadership.
- 4 Effective councils demonstrate certain characteristics, for example:
 - The leader and chief executive promote importance of the ethical agenda – they are recognised as role models.
 - The standards committee is proactive and promotes high ethical standards - it is highly respected within the council. The monitoring officer has a high profile and promotes high ethical standards.
 - Council officers and members treat each other with respect - members and officers have a code of conduct, and the council has assessed its standards of conduct.
 - There is a register of interests and gifts – demonstrating understanding, transparency and compliance with ethical standards.
 - The Council champions and promotes diversity to its staff, partners and wider community.
 - Externally, the council is seen as upholding the highest standards of ethics and probity - it has a high reputation for efficiency and integrity.

Approach

- 5 The audit was undertaken in two distinct stages. In October and November 2007 a review of existing documents and arrangements was completed and a survey distributed widely to councillors and officers was analysed. The work also included interviewing key councillors and managers, and also the Chair of the Standards Committee. The initial results of this were fed back in a presentation to the Town Clerk and the Head of Democratic Services.
- 6 This was followed up in March 2009 with a workshop for senior councillors and officers to consider various ethical governance scenarios and identify changes the Council had been able to put in place since the initial review.

The Position in 2007

- 7 The audit was carried out in 2007 and included: a self assessment survey distributed widely to councillors and officers; a review of key documents; and interviews with key councillors and officers. The response to the 2007 survey was low and indicated there was a lack of interest in ethical governance particularly amongst councillors.
- 8 The audit found that the Council had some history of problems with political factionalism and inappropriate behaviour. This had included councillors verbally abusing each other in public meetings, for example. Although councillors had signed the code of conduct not all councillors were sure about how to apply it.
- 9 Understanding of ethical governance was variable in 2007. The Council had offered training to councillors and officers on the Conventions (Council Constitution) and Code of Conduct. As a result there was a relatively good understanding of the Conventions. However, there was no analysis of councillor's training needs or personal development review system which could be followed up by political group leads. Not all councillors were engaging with the ethical agenda or taking advantage of training opportunities.
- 10 The Standards Committee was not fully effective in 2007; it was still new. It had been split off from the Audit Committee and had a new Independent Chair. At the time of the audit, the Standards Committee had had three meetings and submitted its terms of reference to the Standards Board of England (SBE). The Council adopted the new SBE Code of Conduct in June 2007 and aimed to implement by September 2007. The Council had started developing an action plan for the Standards Committee, which included a proactive role in communicating ethics to the rest of the Council and developing local investigation arrangements. The Council was also beginning to look at guidance for regulatory services such as development control and licensing. It had also started to change its scrutiny committee format.
- 11 Cultural and behavioural aspects of good governance were underdeveloped in 2007. Some misunderstandings existed about roles and responsibilities, for example there had been potential conflicts of interest in a benefits case, in development control, and where road schemes were concerned. Officer/councillor relations were not always good. There was a culture of some councillors being directive with officers and getting involved with operational matters. The Council had recognised that aspects of this behaviour could be construed as bullying, but the Council's Code of Conduct or Conventions were not specific about behaviours and values. Informal complaints about councillor behaviour were dealt with straight away but not systematically logged, so trends were difficult to prove. A few officers and councillors could not distinguish between inappropriate disclosure and whistle blowing and this required more training. Consequently, resources were sometimes diverted to issues which detracted from the Council's focus.

- 12** Registers of interests, hospitality and gifts were not used effectively. They were used actively but not always appropriately, and as they were monitored at departmental level, they were not transparent. For example, on one register it was not obvious which organisation had offered gifts. Councillors said in 2007 they would like practical guidance on interests and how to operate on outside bodies and what to do about conflicts should they arise.
- 13** Review mechanisms were not effective in 2007. Procedures were not systematically reviewed. Registers of gifts and hospitality in departments were not reviewed systematically and so there was no corporate overview or reporting. Not all of the registers were actively used. This meant that registers were not transparent or reported, and it was unclear to councillors and officers whether the Council took the registers and procedures seriously.
- 14** Ethical government was not embedded in other council policies. For example, the Council provided a good range of diversity training. This covered the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act training. However, around half of survey respondents did not know whether the Council had integrated the Codes of Conduct into diversity related policies such as Human Rights, Equalities, Freedom of Information, and Data Protection.

Progress since 2007

- 15** In March 2009, the Audit Commission held a workshop with senior officers and councillors from Leicester City Council. This covered discussions about different ethical scenarios, and what had changed in the Council's approach to ethical governance since 2007.
- 16** The workshop was well supported by senior officers and councillors. The Leader and various Cabinet members attended, in addition to members of the Standards Committee.
- 17** The discussions showed a good level of understanding of the ethical agenda. There had been a high turnover (around 50 per cent) in councillors since 2007, and the Council has developed a more systematic approach to councillor training. This includes a member development forum and ethical government elements included in the induction process.
- 18** The Standards Committee is now more proactive. The Chair of Standards Committee has made visits and presentations to political groups and Cabinet on the member complaint issues and the Code of Conduct. The Council now has a revised process for dealing with complaints against councillors allied with local assessment of complaints. This was endorsed by full Council in September. Standards Committee reviews registers of interests, gifts and hospitality on a regular basis and these are publicly reported in Standards Committee minutes, which helps transparency. A system for regular review of the Council's Conventions has been set up, and these are regularly updated on the internet. These measures have clarified ethical governance issues for councillors. The Standards Committee is now promoting the ethics agenda through internal communications, and is considering how to promote its activity through the Council's website.
- 19** The Council has responded positively to issues raised in the corporate assessment. During 2008, a new delegation scheme was approved by Cabinet and Council. Half the councillors attended workshops on the Council's code of conduct with others having received individual briefings. The Council set up a Member Development Forum which produced a Member Training Strategy to ensure capacity and capability of members to undertake their varying role. The political conventions (constitution) have been revised and agreed. The Council is also working through a scrutiny development plan and scrutiny now has an annual work plan.
- 20** The Council has adopted a modern and wide ranging approach to governance. In 2008 its Corporate Governance Code was updated to reflect CIPFA/Solace's code of good governance, covering principles such as:

 - Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area.
 - Members and officers working together to achieve a common purpose with clearly defined functions and roles.

- Promoting values for the Authority and demonstrating the values and good Governance through upholding high standards of conduct and behaviour.
- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.
- Developing the capacity and capability of members and officers to be effective.
- Engaging with local people and other stakeholders to ensure robust public accountability.

21 The Council has improved its governance training in order to meet this Corporate Governance Code. There is annual and ongoing mandatory training provided for Committee Members on Regulatory issues (Planning, Development Control and Licensing). The Council agreed a Members Development Strategy in September 2008 and the Member's Development Forum co-ordinates implementation. Ethical governance is now part of induction training, and the Council also carries out work to raise awareness of probity among pre-election candidates. There has been cross party support and signing of IDEA Members Development Charter, and a budget has been approved. This ensures that councillors have the capacity to undertake their varying roles.

Recommendations

R1 The Council should build on its ethical governance training work by:

- tailoring ethical governance training to councillor's needs identified through the development review process;
- offering refresher training before elections and to update councillors about case law;
- developing an ethical governance training package for managers and staff to include:
 - general awareness of ethics including the councillor perspective; and
 - officer code of conduct issues including declaration of gifts, hospitality and interests.

R2 The Council's Standard's Committee to develop an externally focused action plan so that:

- it is better understood by the Public and can publicise the Council's record on ethics; and
- it can clarify partnership conduct and governance issues for those engaged in joint working

The Council should implement these measures before the end of March 2010. It is envisaged that the cost will be low to medium.

The Audit Commission

The Audit Commission is an independent watchdog, driving economy, efficiency and effectiveness in local public services to deliver better outcomes for everyone.

Our work across local government, health, housing, community safety and fire and rescue services means that we have a unique perspective. We promote value for money for taxpayers, auditing the £200 billion spent by 11,000 local public bodies.

As a force for improvement, we work in partnership to assess local public services and make practical recommendations for promoting a better quality of life for local people.

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Appendix F

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<p>2009</p> <p>2008</p> <p>2007</p> <p>2006</p> <p>Policy briefing types</p>	<h2>Public Perceptions of Ethics</h2> <table> <tr> <td>Policy reference</td> <td>200900353</td> </tr> <tr> <td>Policy product type</td> <td>LGiU essential policy briefing</td> </tr> <tr> <td>Published date</td> <td>27/08/2009</td> </tr> <tr> <td>Author</td> <td>Laura Wilkes</td> </tr> <tr> <td>This covers</td> <td>England</td> </tr> </table> <h3>Overview</h3> <p>Published by Standards for England, this report presents findings from the June 2009 research undertaken to monitor, and identify any changes over time in:</p> <ul style="list-style-type: none"> • Levels of public trust in member behaviour and integrity; • Levels of public confidence in the accountability mechanisms for dealing with instances where member behaviour has not met the required standard and • Public expectations of the behaviour of members. <p>The report outlines a number of factors that impact upon public perceptions – many of which are outside the control of local government. This includes the MPs' expenses scandal, which is reported to have had a negative impact on public perceptions of councillors.</p> <p>That said, figures reported on a number of measures remain at similar levels to those recorded in 2007; demonstrating that public attitudes towards councillors have changed less markedly than for local MPs and the public are able to discern between local and national politicians.</p> <p>This briefing summarises the findings and conclusions of the report, and provides full comment at the conclusion.</p> <h3>Briefing in full</h3> <p>This research, conducted every two years, enables Standards for England to assess impacts from the perspective of members, officers and the public on public trust, member behaviour and confidence in accountability mechanisms, as well as changes in culture, values and systems and processes in local government.</p> <p><i>Trust</i></p> <p>Despite the MP's expenses scandal, the extent to which the public think local councillors tell the truth remains largely unchanged compared with 2007; and fell by just 2 percentage points to 28%. The report states that public attitudes towards councillors seems to have changed less markedly than for local MPs, where the figure dropped by 5 percentage points, to 24%. This suggests, according to Standards for England, that the public are able to distinguish between local and national politicians.</p> <p><i>Behaviour</i></p> <p>The most frequently expressed perception was that the standard of behaviour of</p>	Policy reference	200900353	Policy product type	LGiU essential policy briefing	Published date	27/08/2009	Author	Laura Wilkes	This covers	England
Policy reference	200900353										
Policy product type	LGiU essential policy briefing										
Published date	27/08/2009										
Author	Laura Wilkes										
This covers	England										

councillor behaviour is more likely to be rated as low than in 2007.

Interestingly, the report demonstrates that findings contrast with those from members and officers in local government, who have a more favourable perception of local councillors than the public do. The proportion that reported members' standards of behaviour has improved in their authority has increased, from 27% in 2005, to 44% in 2007 and now 47% in 2009.

The public were asked about the extent to which councillors exhibit certain types of behaviour – which the research loosely bases on the Nolan principles. The three behaviours most respondents thought councillors exhibited 'always' or 'most of the time' were:

- They treat people with respect (42%);
- They work in the interests of the neighbourhood (34%); and
- They use their power for their own personal gain (32%)

Respondents were also asked to rate how important they felt these behaviours to be, and they reported the following top three:

- Make sure that public money is used widely;
- Be in touch with what the general public thinks is important;
- Work in the interests of this neighbourhood.

The research also found that the public feel that the only attribute which it is important for councillors to exhibit and that councillors do actually exhibit is 'work in the interests of this neighbourhood'. Regarding what is important for councillors to do, but that the public do not think councillors are doing; the following was reported:

- Do what they promised when elected;
- Make sure that public money is used wisely; and
- They are in touch with what the general public thinks is important.

Accountability Mechanisms

Despite the rise in the proportion of the public who think the behaviour has got worse, the findings show that this does not translate into a corresponding rise in the number of complaints the public say that they have made about local councillors. In addition, of those who have not made a complaint, similar proportions in 2005, 2007 and 2009 have never wanted to make a complaint about their councillor.

The report records a drop of 4% since 2007 in the number of people who are confident that the local authority would uncover any issues relating to standards, which now stands at 25%. Similarly, the proportion of those who are not confident that breaches in standards would be uncovered has increased by 6% since 2007 to 46% and the levels of confidence that local authorities will deal appropriately with breaches in standards of behaviour have also dropped. Therefore, whilst public perceptions of councillors have mostly held up against the MPs' scandal, the report notes that by contrast, local authorities seem to have suffered.

Conversely, members and officers are more than twice as likely to be confident than the public that their local authority would uncover a breach of standards in behaviour by a local councillor. Similarly, they are more than twice as likely, compared with the public, to think that a councillor would be dealt with appropriately if their behaviour was deemed unacceptable.

Conclusions

The report concludes that the findings demonstrate that public attitudes towards councillors have changed less markedly than for local MPs, politicians generally and government ministers. Therefore, in light of the MPs' expenses scandal, the public are able to discern between local and national politicians.

It is also noted that findings which suggest people are less confident that local

trend of reducing satisfaction. Many of the key drivers impacting on satisfaction are not concerned directly with service provision, but of those that are within the control of local authorities, public awareness is something that could be improved upon. The report suggests that there is room for improvement in the levels of public awareness of issues such as the role and existence of standards committees, and that this may be the key to increased confidence in local authorities to deal with breaches in standards.

The report also concludes that it would be reasonable to assume that if councillors want the public to think more positively about them, changing their perceptions would be very useful. Particularly in the key areas of election promises, wise use of public money and being in touch with what the public thinks; as these areas represent things that people think are important for councillors to do, but things that they do not think councillors are currently doing.

Comment

This research report represents a welcome insight into public perceptions of councillors, and depending how you wish to interpret it, has both positive and negative interpretations. It is important to bear in mind that this research does come with 'health warnings'. While it is important to measure and monitor public perceptions there are a variety of factors which influence them, many of which are outside the control of local government and local politicians. Changing public perceptions of councillors may be an uphill struggle.

To turn first to the positives; it is encouraging that people recognise the difference between politicians at local and national level. As a result, the MPs' expenses scandal has not had as great an impact on the perception of councillors as may have been expected.

It is also encouraging that those who work most closely with members; members themselves and local authority officers, have a much higher perception of members' behaviour and the ability of local authorities to uncover a breach in behaviour. This suggests that having an understanding of the processes that are in place for uncovering a slip in standards can improve perceptions. This is something that local authorities have control over, and perhaps communication of these mechanisms will be vital in changing perceptions.

There are also areas which councillors themselves can control and therefore strive to change; namely behaviours. Two of the behaviours that respondents felt were the most important; being in touch with that the general public and working in the interests of the neighbourhood, arguably are things that councillors can do something about. This highlights the importance of councillors' effective engagement with their local communities in order to listen to their concerns and find out what is important to them.

Now for the negatives. Despite the fact that the MPs' expenses scandal had little impact on the extent to which the public think local councillors tell the truth, the figure remains extremely low. Only 28% of people think that local councillors tell the truth, or put another way, this suggests that almost three quarters of people think that councillors do not tell the truth.

Similarly, the figure for the most frequently expressed perception regarding standard of behaviour which was neither high nor low stands at 35% - this is a large amount of people that sit on the fence, seemingly unaware of how councillors behave. The only conclusion that can be drawn from this is that they have no direct experience of their councillors to make an informed judgement on their standard of behaviour. On some levels, this questions the role of councillors as community champions who know their communities well.

On behaviour, of the top three rated most as important, the public felt that only one of these behaviours was actually exhibited; 'work in the interests of the neighbourhood'. Yet even this only received 30% - not a particularly large number. 'Making sure that public money was spent wisely' and 'being in touch with what the general public thinks is important', the public felt were not exhibited by councillors. It is, perhaps, slightly concerning to think that the public do not feel councillors are in touch with what the public wants: surely, as representatives of

the people, their purpose is to do precisely this task? This does raise the question as to what councillors are doing if they are not consulting and meeting with constituents about the issues that matter to them.

Almost one third of respondents (32%) felt that one of the most frequently exhibited behaviours of councillors was that they used their power for personal gain. This is startling, and suggests that many people do not trust the motivations of their councillors.

Finally, the report notes that it is perhaps surprising that the general public do not want more of an oversight of what councillors do; only 21% of people would like to have more of a say in what councillors do. Given the economic climate that now faces local government and the difficult spending decisions that councillors will inevitably have to make, it will be increasingly important to encourage local people to be involved in these decisions and the work that councillors do. Local authorities and councillors will need to start work on changing this figure now.

[Email question about this policy briefing](#)

Appendix G



Code revision

We reported on Communities and Local Government's consultation on proposals for a revised code for members and the introduction of a national code for officers in **issue 41** of the *Bulletin*.

Many of you have been in touch to find out when you can expect the new code for members. The department for Communities and Local Government is responsible for dealing with the revisions and current advice is that a revised code will be ready in late autumn 2009.

We do not anticipate many changes to the Code this time around. The main change will be to allow the Code to cover members in their non-official capacity, where that conduct would be a criminal offence.

We have been informed that further consultation on the introduction of a code for officers is likely to take place in 2010.

Imposing sanctions: Written apologies

Regulation 19 of the **Standards Committee (England) Regulations 2008** lists the 11 sanctions available to a standards committee. Standards committees must be careful that any sanctions they choose are included in this list. For example, a verbal apology is not listed and would not therefore be a valid sanction. Asking a member to submit a written apology in a form specified by the committee is valid.

The written apology sanction is a difficult sanction to enforce if a member chooses not to comply with it. Standards committees should consider this when deciding on which sanction to impose.

If a standards committee decides that a written apology is appropriate it should:

- specify the form in which the apology should be written
- set a time-limit for the apology to be written.

If a member fails to issue the written apology, the member may face a further complaint of potentially bringing their office or authority into disrepute by failing to comply with the sanction. However, it could be argued that it would be a better use of council resources to ensure the original sanction allows for the

possibility that the apology is not given.

The regulations allow for the suspension of a member for a period not exceeding six months or until such time as the member submits a written apology in a form specified by the standards committee. In this way a standards committee can ensure that if a member does not apologise, they will remain suspended for a period of up to six months or until they do.

Care should be taken when deciding on the period of suspension that would apply if no apology is given. It should properly reflect the seriousness of the breach of the code of conduct. Imposing a six month suspension period to encourage an apology to be given would be a misuse of the power.

Standards committees should carefully consider the appropriateness of imposing a written apology when a member has shown no remorse for their conduct and no evidence at the hearing to indicate they are able to acknowledge their behaviour and its impact on others. Any apology issued in such circumstances is unlikely to be seen as being genuine.

For more information on sanctions please see our [**Standards Committee Determinations guidance**](#).

Intimidation and the Code

On July 23 2009, the President of the Adjudication Panel for England made a significant decision in the case of Councillor Buchanan, an ex-councillor of Somerset County Council.

This is an important judgment as it is the first occasion in which the Adjudication Panel had to deal with a potential breach of paragraph 3(2)(c) of the Code of Conduct. Paragraph 3(2)(c) concerns the intimidation of, or an attempt to intimidate, a complainant in a Code of Conduct investigation.

The Facts

In April 2007, the Chief Executive of Somerset County Council made a number of complaints about Councillor Buchanan's behaviour to Standards for England. Later on that year, Councillor Buchanan made a formal complaint to the council about the Chief Executive's conduct which the council decided not to investigate.

Following a further complaint from the Chief Executive about Councillor Buchanan, the council's Liberal Democrat group asked Councillor Buchanan if he would suspend himself from the group pending the outcome of all ongoing investigations, but he declined. Councillor Buchanan was notified that his membership of the Liberal Democrat group had been formally revoked on 5 December 2007.

On that same day, Councillor Buchanan wrote a letter to the Association of Local Authority Chief Executives, (ALACE) stating formal complaints about the Chief Executive and listed five headings of inappropriate and unacceptable types of behaviour that the Chief Executive had allegedly committed. And five days later, he sent a letter in identical terms to the Society of Local Authority Chief Executives (SOLACE).

On 15 December 2007 Councillor Buchanan further wrote a formal complaint to the council's monitoring officer in almost identical terms.

The Chief Executive then complained about Councillor Buchanan's motivation and intent in making the serious allegations about him in the letters. This was because Councillor Buchanan knew that Chief Executive was the complainant in an ongoing investigation.

Against these facts the Tribunal had to decide whether:

- Councillor Buchanan had brought his office or authority into disrepute
- had used his position to improperly disadvantage the Chief Executive

- had intimidated or attempted to intimidate the Chief Executive.

The respondent's case was that he had either witnessed or been told about the Chief Executive's alleged behaviour and had previously raised his concerns about the behaviour with various senior officers of the council.

The Adjudication Panel's findings

The Tribunal's findings were that Councillor Buchanan had not voiced the concerns he was now alleging and that:

- although he may have formed a belief about the seriousness of the alleged behaviour, there was no evidence to suggest that it was reasonable for him to have done so
- whatever he had seen, he did not at the time regard the alleged incidents as seriously as he was asserting at the time he wrote the letters
- he had knowingly exaggerated the facts about the Chief Executive's style and performance in order to strengthen his allegations of serious misconduct.

Counsel for the ethical standards officer (ESO) had helpfully referred the Adjudication Panel to the Shorter Oxford Dictionary definition of the word 'intimidate' as meaning terrify, overawe, cow. The dictionary suggested the word was now used especially in order to mean to force to or to deter from some act by threats of violence.

Counsel for the ESO also referred the Tribunal to R v Patresca [2004] EWCA Crim 2437, which concerned an offence under Section 51 of the Criminal Justice and Public Order Act 1994. This proves that a person commits an offence if he or she does an act:

(a) which intimidates and is intended to intimidate another person (the victim)

(b) knowing or believing that the victim is assisting in the investigation of an offence or is a witness or potential witness

(c) intending thereby to cause the investigation or the course of justice to be obstructed perverted or interfered with.

The Court of Appeal noted that the Criminal Justice and Public Order Act provided that "an intimidatory act which consists of threats may threaten financial as well as physical harm".

In the course of the judgment, May LJ confirmed that 'intimidate' and 'intimidation' are ordinary English words and endorsed the dictionary definition referred to above and stated:

"In our judgement, a person does an act which intimidates another person within section 51 (1) (a) of the 1944 Act if he puts the victim in fear. He also does it if he seeks to deter the victim from some relevant action by threat or violence. A threat unaccompanied by violence may be sufficient and the threat need not necessarily be a threat of violence. The act must be intended to intimidate. The person doing the act has to know that the victim is a ...witness or potential witness..., He has to do the act intending thereby for the cause of justice to be obstructed, perverted or interfered with. A person may intimidate another person without the victim being intimidated...An act may amount to intimidation even though the victim is sufficiently steadfast not to be intimidated.

"In our judgement pressure to change evidence alone is insufficient, Pressure alone might be unexceptional and entirely proper at least if applied in an honest belief, for instance that what was sought was evidence which would be truthful. Alternatively pressure might be improper but lack any element of intimidation, for example a bribe. For a person to intimidate another person the pressure must put the victim in some fear, or if not there must nevertheless be an element of threat or violence such that the pressure is improper pressure."

Against this background, the Case Tribunal had no doubt that in writing the letters to ALACE and SOLACE and later to the council, Councillor Buchanan was motivated by a desire to cause harm to the

Chief Executive whom he saw as responsible for the collapse of his political career.

The Case Tribunal was also in no doubt that in writing those letters, the respondent intended to cause the Chief Executive a disadvantage both in terms of his future employment with the council or more widely. Because those letters were submitted essentially as an act of revenge, the respondent did use his position improperly and had thus failed to follow the provisions of paragraph 6(a) of the council's Code of Conduct.

The Tribunal also found that even though there was no evidence that the Chief Executive was intimidated, that did not of itself mean that the allegation of a breach of paragraph 3 (c) failed. There would still be such a breach if the respondent had attempted such intimidation.

The Case Tribunal believed that for the claim to succeed it would have to accept that the letters were intended to intimidate the Chief Executive into:

- altering any evidence he was called upon to give against the Councillor; **or**
- not making further complaints about the Councillor.

On the facts of this particular case the Case Tribunal concluded that neither were Councillor Buchanan's intention. The evidence here was that the respondent was seeking revenge for the Chief Executive's past actions rather than seeking to intimidate him. Therefore there was no breach of paragraph 3(c) of the council's Code.

The Case Tribunal's view was that the respondent, in allowing his actions to be motivated by his desire for revenge, had shown himself to be unfit to be a councillor and local authorities should be protected from his membership.

Although the respondent had by then ceased to be a councillor, he was disqualified was two years.

You can read the Adjudication Panel's decision in this case on its [website](#).

New organisational design for SfE

During the summer, Standards for England has been making progress with an internal restructure which coincides with three new senior officers taking up their posts.

Our three new directors are Director of Risk Vivienne Horton, Director of Regulation Tim Leslie, and Director of Standards Steve Barrow.

The restructuring allows us to align our resources more closely with our role as a strategic regulator and to deliver the tasks we have set ourselves in our corporate plan. Our day-to-day Regulation activities – investigations, guidance, liaison and monitoring – fall within our new Regulation directorate.

In the new Risk directorate, Vivienne leads on our approach to assessing and managing standards risks. Within the new Standards directorate we are developing our knowledge base, our approach to strategic regulation and, of course, our own standards.

Corporate Plan and Annual Report published

Our Annual Report for 2008-09 was laid before Parliament in July. It contained a summary of our work and all of the required corporate reporting of financial arrangements.

We think you'll be more interested in our Annual Review of 2008-09 which we expect to publish in the autumn. That's a little later in the year than we've published our annual review in the past, but we wanted this year to be able to include a significant digest of the information supplied to us by authorities in our annual returns.

The document will be in two parts – a review of our work at Standards for England, and a review of the first year of the local framework based on the information you've supplied us. We'll be highlighting plenty of examples of what we consider to be notable practice, and setting out some of the issues we wish to tackle as regulator, based on what you've said.

Copies will be distributed to all authorities and we'll publish online too.

In the early part of this year, we've been operating to a draft corporate plan pending sign off by the responsible minister in our sponsor department, Communities and Local Government. The plan was signed off earlier in the summer and we have now published our corporate plan under the title of The Changing Role of the Standards Board for England.

Copies have been sent to monitoring officers and it is also available to download [here](#).

Review of online monitoring system - an update

The majority of monitoring officers believe that our Quarterly Returns and Annual Returns are working effectively, according to our research.

During the summer, our research team conducted the final part of its review of Standards for England's online monitoring system. This forms part of a programme of work to assess how well the system is working, and was the final part of a review project that started in June 2008.

For this part of the research, the team distributed surveys to a random sample of monitoring officers and officers who are nominated to make an online submission. Some 50 surveys were sent to assess satisfaction levels with the quarterly return, and another 50 for the annual return (this was the first time this return had been used by stakeholders). We had a good response to our survey with about half the questionnaires being returned. We would like to thank all those who participated in the survey.

The survey's results show that the majority of monitoring officers/nominated staff surveyed continue to agree that the quarterly return is working effectively, with respondents encountering minimal or no difficulty in submitting their return. There were plenty of suggestions from respondents on how to further develop the form now that the quarterly return has been operational for over a year.

The annual return survey also showed that stakeholders are pleased with how the annual return form worked during its first run. There were lots of suggestions from respondents on how the form can be enhanced in the future, with certain sections of the form being considered more relevant than others. These suggestions have been passed on to our annual return development team, and will be incorporated into the design of next year's form.

If you have any questions about this review or future reviews of the system, please contact Tom Bandenburg, Research Assistant: 0161 817 5427 or email: tom.bandenburg@standardsforengland.gov.uk.

That's a wrap!

Editing is now underway for our new training DVD on Local Assessment following a successful shoot last month. Viewers will follow the work of Jack Ridley and his fellow assessment sub-committee members as they look at a variety of complaints about councillors covered by their standards committee.

The film is designed to help standards committees and officers who are involved in the assessment of complaints that a member may have breached the Code of Conduct. It will take viewers through the main stages of local assessment, exploring important or contentious issues along the way.

Learning points are interspersed with the drama. Standard DVD extras including scene selection and subtitles will also be available.

Copies of the DVD will be sent to all monitoring officers in October, and we look forward to hearing your thoughts.

Annual Assembly 2009: Bringing standards into focus

There are just a handful of places left for the 2009 Annual Assembly, 'Bringing standards into focus', at the ICC, Birmingham, on 12-13 October 2009.

This year, we've responded to your call for more sessions focused on good practice, and the programme is full of opportunities for you to share the lessons you've learnt about the local standards framework. A great range of speakers are now on board, including standards committee members and officers from authorities across the country, as well as all those shortlisted for the 2009 LGC Standards and Ethics award. Full details of the programme, including confirmed speakers, is available [here](#).

Solicitors attending the Assembly can earn 10.25 bonus credits towards their continuing professional development, as the event is certified to count towards SRA's CPD scheme.

Breakout sessions are filling up fast and if you have secured your place at the conference you are urged to choose your sessions and return your preference form as soon as possible to avoid disappointment.

Changes at the Adjudication Panel for England

In Bulletin [issue 42](#) we wrote about the Adjudication Panel for England's integration into the new unified tribunals' structure.

The Adjudication Panel's work is due to transfer into the new General Regulatory Chamber (GRC) within the First-tier Tribunal in January 2010, subject to Parliamentary approval. The GRC is a new chamber that will bring together individual tribunals that hear appeals on regulatory issues.

From January 2010, proceedings which would previously have been before the Panel's tribunals, and decisions previously made by the President of the Adjudication Panel, will be undertaken in the GRC of the First-tier Tribunal. Appeals from the GRC will be to the Administrative Appeals Chamber of the Upper Tribunal.

These changes are part of a programme of tribunal reform that began with the establishment of the First-tier and Upper Tribunals in November last year. This put in place a new flexible structure where services can be built that are increasingly responsive to the needs of users.

The independent status of the judicial office holders who consider the references and appeals that come to the Adjudication Panel is not affected by the transfer into the unified structure. Tribunal users will continue to receive a specialist service following the changes, as members of the Adjudication Panel will move into the new First-tier Tribunal. They will continue to deal with the references and appeals on matters arising from the operation of the Code.

You can find out more about the merger [here](#).

All postal correspondence, including standards committee referrals and subject member appeals should now be sent to the Adjudication Panel's new address:

Adjudication Panel for England
Tribunal Service
York House
31-36 York Place
Leeds
West Yorkshire
LS1 2ED

Forthcoming events

Standards for England has a packed event calendar for the next few months.

You can visit us on our stands at the following events:

NALC Annual Conference

4-5 September
Royal College of Physicians, London
Stand 4 in the Dorchester Library

Liberal Democrat party conference

19 -23 September 2009
Bournemouth ICC
Stand 36 in the Solent Hall

Labour party conference

27 September - 1 October 2009
Brighton Centre
Stand 92 in the Hewison Hall

Conservative party conference

5 -8 October 2009
Manchester Central
Stand 106

Solace Annual Conference

20 - 22 October
Brighton Centre

Society of Local Council Clerks National Conference

23-25 October
De Vere Hotel, Daventry
Stand 34

AcSeS Annual Conference

18-19 November

The Armouries, Leeds

SfE continues to support LGC award

We are pleased to announce our continued support for the **Standards and Ethics** category at the **2010 LGC Awards**, following the success of last year's award.

The quality of last year's entries showed that many local authorities are strongly committed to promoting high standards of member conduct, and see the vital connection between standards, public trust and success. Good practice ideas from last year's winners are available on our **website**.

This year, we want to know more about how authority standards committees, members and officers are working together to champion ethical standards and make a positive difference to public trust.

Entries should demonstrate how high standards of conduct are central to the authority's culture and governance. You can enter online at www.lgcawards.co.uk, where you can also find further information on the LGC Awards. The closing date for entries is **13 November 2009**.

If you would like further information on the award, you can also contact Clare Sydney, Standards for England Communications and Events Manager, on 0161 817 5332.

NALC's Local Council Awards 2009

NALC's Local Council Awards 2009 NALC has re-launched its Local Council Awards. NALC is looking for good practice from councils regardless of size or location. This year's NALC Local Council Awards will be in the categories of:

- Council of the Year sponsored by AON
- Clerk of the Year sponsored by AON
- Councillor of the Year sponsored by the Commission for Rural Communities (CRC)
- Council Worker of the Year sponsored by The Co-operative Bank
- Much Improved Council of the Year sponsored by Standards for England

The closing date for applications is 30 November 2009.

For further information about the awards criteria and application details please visit the NALC website or the website of **NALC's** flagship publication, **LCR**.

Updating authority websites

If your authority's website contains contact information for us, please make sure that it is up-to-date.

You are welcome to use our logo as a link to our website. If you would like to do so, please contact Trish Ritchie on 0161 817 5406 or trish.ritchie@standardsforengland.gov.uk who will send one to you.

Here are our current contact details

Address:

Standards for England
Fourth Floor
Griffin House
40 Lever Street
Manchester
M1 1BB

Website: www.standardsforengland.gov.uk

Email: enquiries@standardsforengland.gov.uk

Enquiries line: 0845 078 8181

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Standards Committee 2009 Work Programme

	Work area	Timescales	Lead	Description	Progress
Standing Items					
1.	Introduce programme of speakers to Standards Committee, e.g. CEX	Ongoing	LRJ/GA	To question the role key people play in the ethical governance of the council July – CEX September - Lord Mayor	Lord Mayor confirmed
2.	Quarterly returns to Standards Board on Complaints against Members To include Derby, Nottm and Leics on a six monthly basis	Sep 09	GA	Report to compare Leicester with other Local Authorities in terms of numbers of cases and outcomes May – Third Quarter September – 2008/9 Annual Report	
Special Reports					
1.	Code of Practice – Member involvement in Licensing Decision Making	July 09 Nov 09	AC	A draft code has been prepared. This is in the process of being aligned to Code of Conduct on Hearings for further discussion at September meeting	
2.	Report on mediation	Nov 09	PN	The Committee asked for further details as to what could be expected in the circumstances where an assessment sub-committee refer to MO for further action	

3.	Briefing on Local Democracy Bill	Sep 09	LRJ/GA	Local Democracy Bill is going through parliament and will have some issues that it is useful for standards committee to have an awareness of	
4.	Monitor response to the Corporate Assessment Framework	Jul 09	PN	Report to Standards Committee	
5.	Review of revision of political conventions	Jul (interim), Sep and Oct	PN	Report to Standards Committee	
6.	District Audit Report on Ethical Governance	Sep 09	PN	July meeting requested this item brought to next meeting	
7.	Standards Annual Report to Council	Sep 09 – For Discussion	LRJ	Suggestion from July Committee meeting that the council produces an annual report on standards. Discussion required as to what Committee would wish to see such a report cover and the timing of it at September meeting	
8.	Delegated decision making to Cabinet members	Sep 09	PN	A report which will outline amendments to the delegated authority that will reside with Cabinet Leads	
9.	Approach County Council to build a “critical friend” relationship to learn from each other on complaints.	Nov 09	PN	A mutually supportive relationship with the County Council was deemed useful to Standards at Leicester Could be fostered through joint publicity work (below)	
10.	Revise Council script “member conduct at meeting”	Nov	PN/LRJ	Consider how to give more “teeth” to the constitution’s Council procedure rules regarding Members’ behaviour and the Lord Mayor’s powers to address. Work needed to bring council script (designed in 2004) in line with Code of Conduct	

11.	New Code of Conduct	TBC	LRJ/PN	Awaiting national agreement and guidance on new code	
12.	Review of complaints process to date	Nov 09	LRJ	<p>A review of the processes that have progressed and been amended over the last 18 months. In particular an attempt to have better standard letters and desk notes to apply in certain situations.</p> <p>May include guidance for members in what is expected in a consideration meeting</p> <p>A guide for members who are subject to complaint on what they can expect from the process. Also to include a point of contact for advice that is not the MO. Positive and negative reasons for members to cooperate with investigations</p>	
13.	Scrutiny of current Officer Code of Conduct	TBC	PN	Agreed at May meeting of Standards Committee	
Communications					
1.	Outcome of complaints and investigations	Nov 09	LRJ	Protocol to be agreed on how to publicise the outcome of complaints to members/officers/general public	
2.	Publicising work of Committee and Complaints process	Nov 09	LRJ/GA	Work with County post elections June 09	
3.	Improve Standards website and make links to other related sites	Sep 09	LRJ/GA	Not yet started	
Training					

1.	Training for Members on Regulatory Committees, including annual refresher training	Jun 09	AC	Independent members to be invited to attend	
	Revise training and investigate possibility of bringing in IDeA trainer from Standards Conference	Nov 09	AC/LRJ		
2.	Training on Code of Conduct for new members and prospective candidates	Second half of 2010 and beyond	LRJ	Link in with Member Development Forum	
3.	Training on Hearings	TBC To coincide with first investigation hearing	LRJ/PN	Believed to be best served by using a live case at the point of case reaching a hearing	
Completed					
	Investigate why Nottingham have not received any complaints	Jul 09	GA	Explained within the yearly statistical report for Standards Committee on 16 th September	Complete
	Develop flowchart/list of questions for members on Assessment and Review Sub-committees	Feb 09	GA	Report to Standards Committee In February	Complete
	Revise wording to incorporate comments	May 09	GA	If agreed will be made available for subsequent sub-committees	Complete
	Training on Investigations	13 th Feb 09			Complete
	Definition and guidance on "hearsay"	Feb 09	PN	Report to Standards Committee	Complete
	Revision of guidance	Mar 09	PN		Complete
	Training on Standards Complaints Process including ethical governance	20 Mar 09	LRJ/PN/ GA	To review in light of any changes to membership after May	Complete

	Ensure effective interface with the Delivering Excellence programme Invite speaker for the DE team to Standards Committee	Ongoing Mar 09	PN PN	Invite sent for March Standards Committee. Neil Sartorio to attend.	Complete
	Indemnification arrangements	May 09	Oral update PN		Complete
	Make links between Audit, Standards and Scrutiny committees	May 09	PN/CP/L RJ	Issue has been included on scrutiny development plan	Complete
	Licensing Code of Conduct	May 09	AC attended May	Licensing to invite member of standards committee. Terms of Reference to be shared with Standards members	Complete
	2009 Assembly of Standards Committees (12/13 October)	May 09	GA	Only 1 member so far to accompany Liz and Peter	Complete
	Whole scale revision of Members' Register of Interests with each member completing a new entry – including gifts and hospitality	May 09	LRJ	Form sent to members both electronically and hard copy.	Complete
	Corporate Governance Annual Report	Jul 09	PN		Complete
	Report on granting dispensations to Members	Jul 09	PN		Complete

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