



THE STANDARDS COMMITTEE

ANNUAL REPORT OF 2007/2008

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STOCKTON-ON-TEES BOROUGH COUNCIL
ANNUAL REPORT OF THE STANDARDS COMMITTEE
2007/2008

1. Introduction

This is the third Annual Report of the Standards Committee. As before this report provides an overview of the work of the Committee in the past year, and identifies and promotes examples of best practice. The Committee's previous Annual Reports can be accessed at <http://sbcinternet/yourcouncil/standprob/standcomm/>.

2. The Standards Committee

2.1 Function

The Standards Committee's general functions are:-

- (a) promoting and maintaining high standards of conduct by the Members and co-opted Members of the authority; and
- (b) assisting Members and co-opted Members of the authority to observe the authority's code of conduct.

The Committee's specific functions are:-

- (a) advising the authority on the adoption or revision of a code of conduct;
- (b) monitoring the operation of the authority's code of conduct; and
- (c) advising, training or arranging to train Members and co-opted Members of the authority on matters relating to the authority's code of conduct.

The Committee's general and specific functions apply to all Town and Parish Councils within Stockton's administrative area.

The Committee will taken on new responsibilities for member misconduct complaints handling in 2008/09.

2.2 Membership and Structure

The Standards Committee comprises five Members of the Council, three independent Members and two Parish Council representatives. The Committee is chaired by one of the independent Members, Francis Hayes. The full membership, showing those individuals who served on the Committee during the year, is attached at the **Appendix** to the report. Decisions have been made to provide greater flexibility in the Committee membership for the purposes of the new local assessment responsibilities which the Committee will take on during 2008/09. The decisions have included establishing a panel of substitute elected Members and agreement to appoint a substitute independent member.

2.3 **Comments from the Chair of the Standards Committee**

It has been a busy year for the Committee. You can read the details in the following pages.

The key focus has been on two topics, the new model Code and local assessment. The Committee has been active in the consultation process on both these subjects and at the same time has worked to help develop the way in which the Council will respond to the final versions of both of these. A training exercise involving Members and Officers playing the part of a local assessment committee has been invaluable in highlighting the issues to Members of the Committee and also to other Members of the Council.

In addition, Members of the Committee have attended a variety of meetings of the Borough Council and the Parish Councils and offered assessments of the conduct of Members at those meetings. Thanks are due to the Members who have added this commitment to their already busy schedules.

Thanks are also due to the Officers whose support contributes so much to the effectiveness of the Committee, the Monitoring Officer and his staff and the Chief Internal Auditor and his staff.

3. Conduct of Members - Local Determination and Investigation of Misconduct Allegations

3.1 The Standards Committee received reports during the year, which provided details of allegations of misconduct about Stockton Councillors and Town/Parish Councillors referred to the Standards Board for England. The relevant reports are accessible as part of the minutes of the Committee's meetings on 20 September 2007; 24 January 2008 and 10 April 2008:-

<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

3.2 The Committee considered an investigation report under section 60(2) of the Local Government Act 2000 in October 2007. The Committee accepted the report's finding that there had been no breach of the Code of Conduct. Details of the report and of the Committee's decision can be seen at the link specified above as part of the minutes of the Committee's meeting of 11 October 2007.

4. Standards Board for England

4.1 The Committee has during the year considered reports and presentations regarding guidance from the Standards Board on various key topics such as:-

the Revised/New Model Code of Conduct; and

Predisposition, Predetermination or Bias and the Code

4.2 The relevant reports can be seen at:-

<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

Please refer to the minutes of the Committee's meetings of 20 September, 18 October and 29 November 2007.

5. Training in Standards of Conduct and Probity

- 5.1 The Committee received reports regarding the review of the Members' Learning and Development Strategy and training and development for Parish Councils/Councillors and Clerks.
- 5.2 Training and development opportunities concentrated specifically on the revised/new Code of Conduct and, latterly, the proposed new local assessment framework. Such opportunities included Committee Members' attendance at the Standards Board's Annual Assembly of Standards Committees.
- 5.3 The local assessment framework will continue to be a major priority for training and development for Stockton's Members and Officers; Town and Parish Councils and for the Standards Committee itself.
- 5.4 Reports on the Local Assessment Framework - Consultation Paper and Stockton's arrangements for Local Assessment are accessible at :-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

Please refer to the minutes of the Committee's meeting of 24 January 2008.

6. Interests and Gifts and Hospitality

- 6.1 New guidance for Members regarding gifts and hospitality was agreed in July 2007. This took account of the revised model Code of Conduct for local authority members.

The related report can be seen as part of the minutes of the 24 July 2007 Committee meeting.
(<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>)

- 6.2 All Members were asked to provide completed register of interests returns following the May local government elections and further returns after the Council's adoption of the revised/new Code of Conduct in July 2007.
- 6.3 Regular reminders have been provided to Members and Officers about the need to review and update their interests details and to record details of gifts and hospitality.
- 6.4 Members' register of interests details, including gifts and hospitality information were placed on the Council's website.
- 6.5 Town/Parish Councils have been asked to provide completed sets of copy register of interests forms from their Councillors following each Council's adoption of the revised/new Model Code of Conduct.

7. Local Government Ombudsman

- 7.1 The Committee received details of the Ombudsman's Annual Letter and Annual Report for 2006/07.
- 7.2 The number of complaints received and decisions made had increased when compared to 2005/06, but the average number of days to respond to first enquiries had improved from 35.1 to 28.9 days.

7.3 The Committee also received details regarding various other matters concerning the Ombudsman's service, including a complaint against the Council involving maladministration (<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl> - please see the Committee minutes for 16 August 2007 meeting) and a special report about guidance relating to partnerships (www.lgo.org.uk/special-reports.htm)

8. Corporate Governance

8.1 Updates have continued to be presented to the Committee regarding work relating to the Council's Corporate Governance arrangements.

8.2 The report to the meeting of 20 September 2007 can be accessed at:-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

9. Audit

9.1 As part of its joint working approach with the Audit Committee regarding issues of common interest, and also its wider governance role, the Standards Committee has received quarterly Internal Audit reports presented by the Chief Internal Auditor and detailing the work of the service.

9.2 In addition, the Committee received a report regarding the Statement of Internal Control for 2006/07.

9.3 The joint working will be further developed during 2008/09.

10. Constitutional Framework

10.1 During the year, the Committee has considered various different aspects of the Council's Constitutional framework and arrangements. In particular:-

- **New Scrutiny Co-ordination Arrangements**

The Committee was informed of the improvement plan designed to action the outcomes of the review of the Authority's scrutiny arrangements. Changes to the scrutiny structure were also outlined, including the reduction of the membership of Select Committees from 13 Members to 9, and the creation of 5 new Select Committees (there are in fact now 7 such Committees as a result of the most recent scrutiny review).

- **The Constitution**

Details of the revisions made in November 2007 to the Constitution were reported. These included the following:-

additional information regarding partnerships - Part 2 - Article 10A

new details relating to diversity eg amendments to the Member/Officer protocol about Members and Officers expectations and a change to the principles of decision-making to include respect for human rights and equality of opportunity

new Cabinet Member portfolios - Part 8

inclusion of revised Code of Conduct for Members - Part 5

the updated gifts and hospitality protocol - Part 8

general guidance on the revised Code of Conduct - Part 8

the revised Members' Use of IT Equipment Protocol, including guidance on data protection issues - Part 8

The current version of the Constitution can be accessed on the internet via a link from the front page to the “Your Council” page, and is also accessible on the intranet.

11. Standards and Conduct

- 11.1 The Committee received reports regarding the Revised/New Model of Conduct for Local Authority Members and recommended the adoption of the Code to the Council.
- 11.2 In accordance with its general duties and responsibilities the Committee oversaw the provision of guidance and training on the Code for the Council’s Members and Officers and also for Town/Parish Councils. This included an externally facilitated training event, incorporating practical work on the new local assessment framework.
- 11.3 New protocols on confidential information (for Members) and Members Conduct (for Officers) were agreed and publicised.
- 11.4 The Committee continued its programme of liaison with Town/Parish Councils, with Committee Members attending a number of the Councils’ meetings to observe their Councillors’ interaction with each other and the public and to strengthen mutual awareness and understanding.
- 11.5 Developments regarding the Local Government and Public Involvement in Health Act were also reported to the Committee. This included information about the Committee’s proposed new responsibilities for the granting and supervision of exemptions from political restrictions.
- 11.6 The link to relevant reports is as follows:-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

The minutes of the Committee’s meetings of 27 July, 29 November, 13 December 2007 and 24 January 2008 refer.

12. Ethical Governance

- 12.1 Reports were presented to the Committee regarding progress in implementing the Ethical Governance Audits and Light Touch Health Check Action Plans. These can be read at:-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

Please see the minutes of the meetings of 16 August 2007; 20 September 2007; 24 January 2008.

- 12.2 The Committee will receive an end of year report in relation to these Plans in the new municipal year.

13. Committee on Standards in Public Life

- 13.1 The Standards Committee has continued to be kept informed of the work of the Committee on Standards in Public Life during the year. Details relating to its Annual Report can be seen at:-
www.public-standards.gov.uk.

14. Confidential Reporting Policy

- 14.1 The current policy is now accessible on the intranet; via the Handbook of Personnel Policies and Procedures; the Members’ Handbook; and has been included in the Standards and Probity section of the Council’s website.

- 14.2 The number of Nominated Officers has been increased including more female Officers.
- 14.3 Existing contractors have been sent a copy of the Policy and the Authority's invitation to tender form also includes the requirement to adopt the Policy.
- 14.4 Publicity about the Policy has appeared in KYIT and the posters advertising the Policy have been updated and relaunched.
- 14.5 The arrangements regarding the Policy and the Corporate anti-fraud management arrangements were audited during the year.
- 14.6 The report to the Committee on 20 September 2007 detailing these developments can be seen at:- <http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

15. Comments, Commendations and Complaints

- 15.1 Quarterly reports have again been submitted to the Committee throughout the year.
- 15.2 The Committee has also been apprised of the work of the Head of Legal Services, the Customer First Manager and the Complaints Officers in reviewing and improving the Council's Comments, Commendations and Complaints Policy.

16. Equality

- 16.1 The Committee continued to be kept informed of the ongoing work to deal with the emerging and complex equality legislation, in the form of the Council's Single Equality Scheme.
- 16.2 The current version of the Scheme is accessible at:- <http://www.stockton.gov.uk/equalityanddiversity>

17. Freedom of Information

- 17.1 Updates regarding freedom of information were provided to the Committee during the year, including details of relevant cases from the Information Commissioner's Office.

18. Dispensations

- 18.1 During 2007/08, no dispensations were requested under the provisions of the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002.
- 18.2 Paragraph 12(2) of the Revised/New Code of Conduct which allows Members with prejudicial interests to remain in a meeting in order to make representations, provide evidence and answer questions obviates the need for dispensations in certain situations.

19. Standards Committee Work Programme 2008/09

- 19.1 The Committee has now agreed its initial work programme for 2008/09.
- 19.2 The items identified to date as key for 2008/09 can be seen in the minutes of the Committee meeting of 5 June 2008.
- 19.3 The new Local Assessment Framework and the commencement of the provisions of the Local Government and Public Involvement in Health Act 2007 will be recurring features of the Committee's work.

19.4 The forward plan details are reviewed on an ongoing basis at each Standards Committee meeting and are therefore subject to change.

20. Conclusion

20.1 The Committee has continued to fulfil its duties and responsibilities during the year, whilst at the same time receiving appropriate guidance and training itself, as well as playing an important role in relation to the Authority's corporate and particularly ethical governance. The year ahead will require an even greater involvement from the Committee in all of these areas, but specifically as regards the new Local Assessment arrangements.

21. Other Languages or forms of Communication

21.1 For further information about the availability of this report in other formats and languages, please contact Margaret Fawkes on 01642 527061 or via email to margaret.fawkes@stockton.gov.uk.

Stockton-on-Tees Borough Council

Standards Committee Membership

2007/08

Francis W Hayes	-	Independent Member - Chairman
Andrew B L Sherris	-	Councillor - Vice-Chairman
Walter Hedley	-	Parish Representative ¹
Colin V Algie	-	Parish Representative ²
Paul Baker	-	Councillor
Tom Bowman	-	Parish Representative
Edna Chapman	-	Independent Member
Ian Dalgarno	-	Councillor
John Fletcher	-	Councillor
Mohammed Javed	-	Councillor
Freda Robinson	-	Independent Member

¹ until 15 December 2007

² from 23 January 2008