

Standards Committee

A meeting of Standards Committee was held on Thursday, 26th October, 2006.

Present: Mr F.W. Hayes (Independent Chairman), Cllr P Baker, Cllr Mrs J Beaumont, Cllr J A Fletcher, Mrs E. Chapman (Independent Member), Mrs F. Robinson (Independent Member), Mr T. Bowman (Parish Representative), Mr L.W. Hedley (Parish Representative).

Officers: Mr D.E. Bond, Mr M. Henderson, Miss S. Johnson (LD), Mr I. Jones (Internal Audit).

Also in attendance: No other persons present.

Apologies: Cllr A B L Sherris, Cllr N Teasdale.

666 Declarations of Interest

Councillor Mrs Beaumont declared a personal and prejudicial interest in the minutes of the meeting of the 12th September 2006.

667 Minutes of the meetings held on 24th August 2006 and 12th September 2006

The minutes of the meetings held on 24th August 2006 and 12th September 2006 were confirmed as a correct record.

668 Committee on Standards in Public Life

The Committee considered a report that provided details of the report of the second national quantitative study into public attitudes towards conduct in public life, which the Committee on Standards in Public Life ("the Graham Committee") had published on 15th September 2006. The main points were summarised as follows:

- The second survey provided the first opportunity to assess public attitudes, expectations and perceptions towards the behaviour of those in public life, against the baseline data established by the first survey published by the Graham Committee in 2004.
- The latest report had an important addition to the first survey. As a result of financial contributions from the Scottish Executive and Northern Ireland Administration the Graham Committee was able to increase the survey sample size in Scotland and, for the first time, survey the public in Northern Ireland. This had enabled the Committee to produce disaggregated information about the attitudes of members of the public in these two parts of the United Kingdom, and to compare these with public attitudes in England and Wales.
- A copy of the Introduction to the 2nd survey report (which included methodology details) and of the report's Executive Summary was shown to Members.
- The survey again confirmed that the public wanted public office-holders to be more honest or truthful about policies and services, acknowledging difficulties and competing pressures, and also admitting or owning up when things go wrong or have unintended consequences.

- Seventy-five per cent of British people said they could not trust government ministers to tell the truth and two-thirds felt the same about MPs in general.

- A press release about the Survey said that:-

“The findings confirm there are worryingly low levels of trust among the public in our national politicians - again less than one in four of people trust government ministers to tell the truth and only one in three people say they trust the truthfulness of MPs in general.

The public still expect high standards of conduct from our public office-holders, but there remains a gap between the standards they desire and what they believe is the reality.

Public expectations of the behaviour of national politicians and senior officials remain high. However, they hold some negative perceptions of that behaviour in practice.

The principle that “the job should be awarded to the best candidate” is seen by the public as the single most important principle when recruiting people to government departments and other public services. However there continues to be a widespread belief that a significant proportion of public office-holders get jobs through connections rather than through the correct procedures.”

It was explained that The Graham Committee intended to repeat the survey again in 2008.

RESOLVED that:-

1. the report be received; and that
2. it be brought to the attention of all Members.

669 Ethical Framework - Mutual Support Protocol

Members considered a report that provided details of the revised mutual support protocol regarding the management of misconduct allegation referrals.

The Committee had previously been made aware of the mutual support arrangements which the Tees Valley local authorities had developed through their respective Legal Officers.

In light of the amending regulations relating to the local investigation of misconduct allegations (the Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004), the protocol had been reviewed and revised by the Districts’ Lawyers.

A copy of the agreed, signed protocol was attached to the report for the Committee’s consideration.

RESOLVED that:-

1. the report and appended protocol be received; and that
2. the protocol be drawn to the attention of all Members.

670 Internal Audit Quarterly Report

The Chief Internal Auditor advised Members of the work carried out by the Internal Audit Section in two audits within the remit of the Committee during the quarter July to September 2006. A copy of the list of audits and number of recommendations made was attached to the report for consideration by Members.

Members were reminded that Internal Audit was an independent appraisal function established by the Council to objectively examine, evaluate and report on the adequacy of internal controls. This role ensured that there was proper economic, efficient and effective use of resources. It also ensured that the Council had adequate accounting records and control systems.

Recommendation details and management comments, where provided, were attached to the report for consideration by Members.

RESOLVED that the report be received.

671 Corporate Governance

Consideration was given to a report that provided the latest information in relation to the Council's corporate governance arrangements.

Members were reminded that at previous meetings the Committee had been provided with details of the Council's Code of Corporate Governance and the practical steps being taken or required to be taken to comply with best practice guidance published by CIPFA and SOLACE. The Committee had also been kept apprised of progress against the Authority's agreed action plan.

It was agreed at the Committee's meeting on 22nd June 2006 that update reports would continue to be presented to future Committee meetings regarding the review of Corporate Governance arrangements being undertaken by the Officer Corporate Governance Working Group.

It was explained that since the last report to the Committee the Corporate Governance Group had developed a revised, draft Code of Corporate Governance based on the six core principles set out in the Good Governance Standard for Public Services (a document produced by the Independent Commission on Good Governance in Public Services, established by the Office for Public Management and CIPFA, in partnership with the Joseph Rowntree Foundation). A copy of the revised, draft Code was provided for consideration by Members.

A self assessment exercise had also been undertaken by the Corporate Governance Group in order to provide responses to the questions related to each of the six core principles of the Good Governance Standard. Members noted the self assessment questions.

The answers to the questions were being checked against the details of, and evidence referred to in the Council's Statement of Internal Control (the "SIC", which was the subject of a separate report to the Committee's meeting of 22 June 2006).

Subject to this, the combined evidence of the SIC, the answers to the core principles' questions, and other information provided by the Corporate Governance Group, was being used to develop a new corporate governance action plan, based on the four CPA key lines of enquiry ("KLOE").

- Community Focus
- Structures and Processes
- Risk Management and Internal Control; and
- Leadership, Culture and Standards of Conduct

Members noted that details of the KLOE were referred to in paragraph 2 of the revised, draft code of corporate governance.

The emerging, new action plan was currently being consulted on, and would be developed further as a result of discussions with other Officer Groups eg Policy Officers Group. A final draft would then be reported to CMT, the Standards Committee, Audit Committee, Cabinet and Council, prior to wider publication and dissemination.

Allied to this, a schematic diagram was being developed by the Corporate Governance Group, a current draft of which was attached to the report for Members' consideration.

RESOLVED that the report be received.

672 Members' Code of Conduct Referral - Lessons Learned and Action Points

Members considered a report that provided views on lessons learned from the recent referral by an Ethical Standards Officer under Section 60(2) of the Local Government Act 2000. The recent referral of a Member misconduct allegation under Section 60(2) of the Local Government Act 2000, culminating in the Committee's meeting on 12 September 2006 highlighted a number of issues. These issues related to:

- the clarity of the nature and scope of the ESO's referral.
- liaising with complainant/witnesses.
- dealing with additional issues arising from the investigation.
- confidentiality/openness.
- specifying and observing time limits.
- resources.
- designated Investigators.
- investigating Officers Report Format – Members were requested to feed any views on this back to the Monitoring Officer after the meeting.

Taking into account the experience gained from the investigation process, it was also opportune to review the Committee's local investigation and determination procedures in order to introduce any consequential changes/improvements.

The Monitoring Officer could undertake this under delegated powers in consultation with the Chair.

RESOLVED that the report be received.

673 Information/Discussion Items

The Committee received and considered the following information:-

- Adjudication Panel for England – Decision Press Release
- Adjudication Panel for England – Press Release on the Code of Conduct
- Standards Board for England Press Release – Response to the Cornerstone Paper
- Freedom of Information Act – EGov monitor article
- Information Commissioner’s Decision – FS50072190
- Bias and Local Authority Decisions – Pinsent Masons article and Times Law Report
- Town and Parish Standard : 07

RESOLVED that the information be noted.

674 Standards Committee Forward Plan 2005/2007

The Committee was provided with an updated version of the Committee's Forward Plan for 2005/2007.

RESOLVED that the plan be noted.