

Standards Committee

A meeting of Standards Committee was held on Thursday, 13th December, 2007.

Present: Mr F W Hayes (Chairman), Cllr Paul Baker, Cllr John Fletcher, Cllr Andrew Sherris; Mr T Bowman (Parish Representative), Mr L W Hedley (Parish Representative); Mrs E Chapman (Independent)

Officers: H Fowler (RES); D Bond, S Johnson (LD)

Also in attendance: No other persons in attendance

Apologies: Cllr Ian Dalgarno, Cllr Mohammed Javed; Mrs F Robinson (Independent)

S **Declarations of Interest**

73/07

Mr T Bowman and Mr L W Hedley declared a personal/non-prejudicial interest in Attendance at Town/Parish Council Meetings, due to being a Member of Ingleby Barwick and Stillington and Whitton Parish Council respectively.

S **Internal Audit Quarterly Report**

74/07

Consideration was given to a report that advised the Standards Committee 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 2007.

Members of the Committee 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.

An Officer from Internal Audit provided Members of the Committee with details of the two audits, which were then discussed.

RESOLVED that the report be noted.

S **Observing Council Meetings**

75/07

It was agreed as part of the Ethical Governance Light Touch Health Check Action Plan that Members of the Standards Committee would observe standards of conduct at full Council and other meetings such as Planning Committee meetings, with a view to reporting back to the next following Standards Committee meeting on what they had witnessed.

Members of the Standards Committee presented and discussed the feedback from the meetings of Licensing Committee and full Council in November. Copies of the assessment sheets completed as a result of attendance at the meetings were circulated.

The Committee agreed that the Monitoring Officer should provide a summary of the main points from each of the assessment sheets to the relevant Council Members and Officers concerned.

RESOLVED that:-

1. The report and feedback be noted.
2. The Monitoring Officer provide appropriate feedback to the relevant Council Members and Officers.

**S
76/07** **Attendance at Town/Parish Council Meetings**

It was agreed as part of the Ethical Governance Light Touch Health Check Action Plan that Members of the Standards Committee would attend and observe Town/Parish Council meetings, with a view to reporting back to the next following Standards Committee meeting on what they had witnessed. It was noted that attending such meetings would, in particular, have the benefit of raising the Committee's and Committee Members' profile at a parish level, and also provide Committee Members with a greater awareness of, and insight into Town/Parish Councils and Councillors' work and vice versa.

Members of the Standards Committee presented and discussed the feedback from the meeting of Ingleby Barwick Town Council that had been attended in November. Copies of the assessment sheet completed as a result of attendance at the meeting were circulated.

The Committee agreed that the Monitoring Officer, in consultation with the Chair, should arrange to provide a summary of the main points from the assessment sheet to the Town Council Clerk.

RESOLVED that:-

1. The report and feedback be noted.
2. The Monitoring Officer, in consultation with the Chair, arrange to provide appropriate feedback to the Ingleby Barwick Town Council Clerk.

**S
77/07** **Confidential Information Protocol**

Consideration was given to a report that provided the Committee with a draft protocol for Members regarding confidential information.

Members of the Committee were provided with a copy of the draft confidential information protocol.

It was explained that the draft document indicated that the Council's Code of Conduct for Members prohibited the disclosure of confidential information by a Member, except in certain specific circumstances.

The Standards Board for England had issued guidance in relation to these provisions of the Code including a related fact sheet. The guidance referred to local authorities' policies and protocols on confidential information.

It was noted that the Council did not have a dedicated policy or protocol for Members about confidential information. There were, however, various references to confidentiality in several different documents, such as the Access

to Information Procedure Rules; the Protocol on Member/Officer Relations and the Protocol on the Use of IT Equipment.

It was explained that the proposed draft protocol was intended to draw together the various references to confidentiality in existing documents, and to provide one specific protocol for Members which encapsulated the Authority's requirements in relation to confidentiality and its confidential information.

The Committee were advised that the Members Advisory Panel would also be considering the draft protocol at its meeting on 17th December 2007.

The Monitoring Officer reported that all Members had also been asked for their comments on the draft document.

The Committee was asked to consider the draft document and to agree that the document be recommended to Council for approval.

Members of the Committee were advised that following Council approval the protocol would be circulated to all Members for information/awareness.

RESOLVED that:-

1. The protocol be recommended to Council for approval; and
2. Subject to Council approval, the protocol be circulated to all Members for information/awareness.

**S
78/07**

Corporate Risk Register

Consideration was given to a report that advised the Committee of the risk assessment status of the risk of potential breaches of the revised Code of Conduct for local authority members.

It was explained that the Council's risk management procedure provided for risks assessed as having a risk score of 16 or more to be included on the Corporate Risk Register.

The Committee was provided with a copy of the scoring matrix.

Members of the Committee were advised that previously the risk of potential breaches of the Members' Code of Conduct and referrals to the Standards Board was assessed as having a risk score of 16. A copy of the entry from the relevant version of the Corporate Risk Register was provided to Members of the Committee.

The Monitoring Officer advised Members of the Committee that the risk had now been reviewed and the score reduced to 12. A copy of the assessment form was presented to Members. It was explained that the reduction was due to two principal factors. Firstly, the number of referrals from the Standards Board had continued at a low level for the past twelve months or so, as evidenced by the quarter 1 and 2 statistics reported to the 18 October meeting. Secondly, Member conduct generally, particularly at Stockton, was good, as evidenced by the low number of allegations being made and the behaviour observed by

Standards Committee Members themselves at meetings.

Due to the reduction in the risk score, the risk was now a medium one. The Committee was informed that such risks were still reported to, and considered by the Risk Action Group.

RESOLVED that:-

1. The report be noted.
2. Any future changes to the specified risk assessment be reported to the Committee.

**S
79/07**

Members' Handbook - Ethics and Standards

The Committee considered a report that provided details of the revisions to the ethics and standards section of the Members' Handbook.

The Members' Handbook was reviewed, updated and provided for newly elected Members at the 3 May 2007 local elections.

Subsequently, the revised Code of Conduct had been introduced and adopted by the Council (11 July 2007). It was explained that this had necessitated a further review and revision of the Handbook.

Members of the Committee were provided with copies of the previous and revised versions of the ethics and standards section of the Handbook. It was noted that the amended text now reflected the provisions in the revised Code of Conduct.

It was explained that the updated version of the ethics and standards section would be introduced to the electronic and hard copy versions of the Handbook.

Members of the Committee agreed that an electronic link to the Members' Handbook on the internet should be provided for Co-opted Representatives and that they should also be advised in writing of the Handbook and who to contact to gain access to a copy.

RESOLVED that:-

1. The revised guidance be noted.
2. Copies of the guidance be provided for the electronic and hard copy versions of the Members' Handbook.
3. The report and the guidance be drawn to the attention of all Members, Co-opted Members, appropriate Officers and Town/Parish Clerks.
4. An electronic link to the Members' Handbook on the internet be provided to the Co-opted Representatives and they also be advised in writing how to gain access to a copy.

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Audit Commission Self Assessment Survey

80/07

Consideration was given to a report that provided the Committee with details of the latest Audit Commission Self Assessment Survey, which were presented to the Annual Assembly of Standards Committees in Birmingham in October 2007.

It was explained that the Survey aimed to:-

- help Councils to assess and then drive up their ethical governance arrangements and procedures;
- helps Councils better understand the key ethical governance issues they were now facing; and
- highlight areas to focus on in future.

Members of the Committee were provided with a copy of the handout presented to the Annual Assembly. The handout outlined the review findings and set out questions for Councils to consider when moving forward on strengthening ethical governance.

The Monitoring Officer reminded Members of the Committee that the review findings and suggestions about what should be considered as key areas of focus for the future must be seen in the light of the Council's own ethical governance survey and light touch health check, which had resulted in detailed action plans for strengthening the Authority's ethical governance.

Members of the Committee discussed the key findings of the Survey. The Committee agreed that it would be beneficial to conduct another survey similar to the ethical governance survey carried out in October 2006 but fine tuned to target relevant issues highlighted in the Audit Commission Survey, in order to measure where the Standards Committee stood in terms of the national picture. It was agreed that the survey should be carried out in the Municipal Year 2008/09.

RESOLVED that:-

1. The Audit Commission Self Assessment Survey be noted.
2. The Standards Committee conduct a survey in the Municipal Year 2008/09, as outlined above.

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81/07

The New Council Constitutions

The Committee considered a report that provided details of the Evaluating Local Government (ELG) Research Team's report regarding new Council Constitutions and the impact of the Local Government Act 2000.

It was explained that the LGA 2000 was a central plank of the Government's local government modernisation agenda. The Government's aims were threefold:-

- To create a more visible and effective political leadership in Councils;
- To enhance the democratic legitimacy of local government; and
- To provide checks and balances to secure transparency and accountability

The ELG had been asked to undertake research and report on whether these aims had been achieved.

Members of the Committee were provided with an Executive Summary of the ELG's report.

The Committee was advised that the report's conclusions were that:-

- The aim of enhancing effective leadership had been met and new executive arrangements had bedded down well;
- The LGA 2000 had made positive contributions towards democratic renewal eg through more visible portfolio holders; however there was less agreement that community leadership and public involvement had been successfully developed and the diversity of elected representative had not significantly altered;
- The checks and balances introduced by the LGA 2000 were working; scrutiny was improving, but from a low base; standards arrangements were working and were seen as an effective mechanism for providing checks and balances;
- Citizens trust and electoral turnout had not really been improved to any significant degree as a result of the changes.

RESOLVED that the report be noted.

**S
82/07**

Information/Discussion Items

The Committee received and considered the following information:-

1. Standards Board Case Summaries/Press Releases
2. Local Assessment/Filter Information - Standards Board

RESOLVED that the information be noted.

**S
83/07**

Standards Committee Forward Plan 2006/2008

The Committee was provided with the Forward Plan for 2006/2008.

RESOLVED that the plan be noted.