

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on Thursday, 10 December, 2009 at 6.00 p.m. at Civic Offices, Telford

PRESENT: Councillors D. Allen, R. Aveley, V.A. Fletcher, R.E. Groom, C.R.P. Mollett, K.S. Sahota and A.J. Stanton
A. Simpson (Chairman) and A. Selvaratnam (Independent Members)
Councillors D. Edwards, R. Wickson and R. Williams (Parish Council representatives)

ST-17 COUNCILLOR PAULINE PICKEN

The Chairman paid tribute to Councillor Pauline Picken who had died recently. Councillor Picken had been a Parish Councillor representative on the Committee, and Members expressed their appreciation for her work and the contribution she made to the Committee.

ST-18 MINUTES

RESOLVED – that the minutes of the meeting of the Standards Committee held on 10 December 2009 be confirmed and signed by the Chairman.

ST-19 APOLOGIES FOR ABSENCE

Councillor H. Rhodes (TWC); F. Beasland and B. Bayley (Independent Members)

ST-20 DECLARATIONS OF INTEREST

None

ST-21 UPDATE ON STANDARDS COMMITTEE WORK PROGRAMME

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which updated Members on progress in relation to the work programme which had been agreed for the current municipal year.

In some cases the work had been completed, but there were delays with some of the work that required significant resources – eg: Review of Member/Officer protocol. In some cases, those resources had been diverted away from this work by other ethical standards matters such as dealing with referral and review sub-committees and co-ordinating local investigations. In relation to item 12 on the work programme, it was reported that the Committee's recommendation to establish a Dispensations Sub-Committee had been approved by the Council Constitution Committee for approval by full

Council. A further report would be presented to the Committee at the end of the current municipal year.

In response to a question about progress on providing Code of Conduct training for all Borough and Town & Parish Members, the Group Solicitor advised that there had been some delay in organising the training, but it was now expected to take place around February/March 2010. An external trainer and general format for the training had been agreed. In response to a question concerning progress on joint working with other authorities, it was reported that the Combined Fire Authority had no objection to the principle of a Joint Standards Committee, but had asked for further details. Informal enquiries had been made with Shropshire Council, but it appeared that this was not something they were looking to do at the moment.

RESOLVED – that the report be noted.

ST-22 ANNUAL REVIEW OF STANDARDS COMMITTEE TERMS OF REFERENCE

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which provided details of the Terms of Reference and role and function of the Standards Committee for review by Members.

The terms of reference appeared in the Council's Constitution, and were appended to the report for reference. There had been only one recent change relating to the introduction of a sub-committee to consider dispensations, subject to full Council approval. The system for local assessment of Code of Conduct complaints had now been in place for about 18 months, and as most members of the Committee had now taken part in assessing complaints, any comments on the procedures and criteria were invited. Members expressed the view that the process was working quite well. However, for clarity, it was suggested that additional wording be added to the second paragraph of the terms of reference of the Review Sub-Committee to state that the members of the Review Sub-Committee should be different to the members on the Referrals Sub-Committee who made the initial assessment.

RESOLVED – that the Terms of Reference be confirmed, with the addition of wording to the second paragraph of the Review Sub-Committee's terms of reference to make clear that the membership of the Review Sub-Committee must be different to the membership of the Referrals Sub-Committee who made the initial assessment.

ST-23 REVIEW OF PUBLICITY AND GUIDANCE DOCUMENTS FOR CODE OF CONDUCT COMPLAINTS

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which provided details of the proposed changes to documentation used to publicise the local code of conduct complaints system.

Documentation relating to the local system for filtering code of conduct complaints was initially prepared based on guidance set out by Standards for England. These documents had now been reviewed and updated for consideration by the Committee. Attached at Appendix 1 of the report was an updated version of the Public Notice providing basic details of the complaints system for display on public noticeboards and on the Council's website. Attached at Appendix 2 of the report was a new guidance document which included an updated complaint form – which incorporated the comments from Members earlier in the year. The guidance document included a significant amount of information, but it was considered that it would anticipate the many questions that the public may have about the system, and provide a full picture of all the processes involved in dealing with Code of Conduct complaints.

During the ensuing discussion, Members made a number of comments and suggestions on the new documentation, including:

- that in the Public Notice, the e-mail/web links should be underlined;
- that the new complaint form should include a space where the date of receipt could be stamped;
- it was considered that the Guidance on Complaints document was too large a document for the public to understand, and it was proposed that the complaint form be provided separately, with the detailed information provided in an accompanying booklet format.
- an amendment to the wording in Appendix 6 – frequently asked questions - relating to making a complaint about an ex-councillor, in order to clarify the situation where a councillor may have resigned, but was then subsequently re-elected;
- remove the wording “de novo” from paragraph 8(a) of the assessment and review criteria for Initial Assessment of Standards Complaints

RESOLVED – that the new documentation attached to the report be approved, subject to inclusion of the amendments shown above.

ST-24 UPDATE TO LOCAL INVESTIGATIONS AND HEARINGS PROCEDURE

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which sought approval for an updated procedure for local investigation of code of conduct complaints and local hearings following local investigations.

The existing procedures required updating following the introduction of new provisions contained in the Local Government and Public Involvement in Health Act 2007 coupled with subsequent guidance from Standards for England. The revised local investigation procedure, which was more concise than the previous version, was shown at Appendix 1 of the report, and the revised hearing procedure was set out at Appendix 2. Members were also being recommended to give delegated authority to the Monitoring Officer to amend the procedure or depart from it when considered necessary to do so. This was to take account of circumstances when there was either a scenario

during an investigation or hearing which was not previously envisaged and /or when minor amendments were required to reflect changes in statute, guidance or case law. During the ensuing discussion, Members proposed an amendment to this recommendation so that any amendments or changes made by the Monitoring Officer under delegated powers were done so in consultation with the Chairman.

It was also suggested that as Regulation 16 of the Standards Committee (England) Regulations 2008 was referred to in the procedures, the full wording or explanation of this regulation could be included for clarity.

RESOLVED –

- (a) that the local investigations and hearings procedures, as shown at Appendix 1 and 2 respectively of the report, be approved, subject to the amendment to append Regulation 16 of the Standards Committee (England) Regulations 2008.**
- (b) that delegated authority be given to the Monitoring Officer, in consultation with the Chairman, to amend or depart from the procedures when it is necessary to do so.**

The meeting ended at 7.09 pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 25th MARCH 2010

STANDARDS FOR ENGLAND – MONITORING OFFICERS ANNUAL REPORT

REPORT OF HEAD OF GOVERNANCE AND MONITORING OFFICER

1. PURPOSE

- 1.1 To provide the committee with details of the information to be included in the annual return which the Monitoring Officer must provide to Standards for England.

2. RECOMMENDATIONS

2.1 That the Committee consider the annual return information provided by Standards for England and provide comments to the Monitoring Officer to assist when the return is completed

3. SUMMARY

Standards for England make an annual request for information at around this time of year. On this occasion they have provided a preview of the information that they will be seeking. The details are attached for the Committee to consider.

4. PREVIOUS MINUTES

Standards Committee – 18 June 2009

5. INFORMATION

5.1 Section 66 of the Local Government Act 2000 (as amended) includes provision for Standards for England to request information from local authorities. One part of this is the annual return which all Monitoring Officers are asked to complete in the form of an online questionnaire. This year Standards for England have provided advance notice of the information that they will request. When sending the information Standards for England stated as follows

“In our December bulletin we mentioned that we would be previewing the questions for our Annual Return 2010 in advance of the end of the financial year. This is to give monitoring officers more time to prepare their responses and to consult with their standards committees, before we request that completed returns are submitted online at the year end.

The questions are attached to this email, along with some brief guidance notes that offer further explanation about what is being asked and why.

The focus of last year’s annual return was to tease out a narrative of the activities that standards committee had undertaken in the first year of the new local framework. Many questions were left open, so that you had the freedom to provide us with as much information as you felt necessary.

This year our approach is slightly different. Using information from last year’s responses, we have designed a “tick box” questionnaire. This means that there are less open questions which should make the return quicker and easier to complete. However, you have not lost the opportunity to provide us with a narrative. Most of the tick-box lists have an option for “other”, which, when ticked, opens up a free text box for you to type in. The rationale behind this is so that you need only type in a response when the activity you are describing is not included in our list. We are hopeful that this will make it easier for us to identify notable practice to share with the rest of the standards community.

The attached preview of the questions shows the Annual Return in its entirety. Depending on the circumstances of your authority, you may not need to answer all of the questions. The online version will only display the ones that are relevant to your authority.

We will be in touch soon with further information about when the submission period will be. It is likely to be a 10 working day window, much like the quarterly return, either at the end of March or beginning of April.

We will also provide you with a more detailed user guide to help you complete the return online.”

The Committee are asked to consider the documents that are attached to this report and provide comments to the Monitoring Officer which will assist in completing the return of information to Standards For England.

5.2 Equality and Diversity

No implications

5.3 Environmental Impact

None

5.4 Legal Comments

The legal comment is contained within the main body of this report.

5.5 Links with Corporate Priorities

Ensuring that the return is completed and all areas highlighted by Standards For England are addressed will assist the Council in ensuring that it is operating in an effective and efficient manner.

5.6 Opportunities and Risks

The potential opportunities and risks associated with the issues raised in the report will be addressed. The opportunities identified will be maximised and the potential risks will be dealt with appropriately.

5.7 Financial Implications

There are no direct financial implications arising from this report. The process of completing the annual return will be met from within existing resources.

5.8 Ward Implications

District wide implications

6. BACKGROUND PAPERS

Annual Report of the Standards Committee

**Report prepared by Matthew Cumberbatch, Legal Services Manager Tel:
01952 383255**

Annual Return

2010

This document is a list of the questions you will be asked in our 2010 Annual Return. The Annual Return will be an online form, accessible via our website. When we launch the online version you will be able to use the same login details that you use when accessing the quarterly return.

We have provided you with the questions early so that you can prepare in advance of the submission window, which will be either late March or early April 2010. An announcement containing the exact details of this will be made at a later date.

This will hopefully give you the opportunity to discuss the questions with your standards committee and other parties as necessary.

For those of you who completed last year's annual return, you will notice that only a handful of the questions are the same. We have made some significant changes to enable us to gather new information about how the local standards framework is functioning. There are 5 sections this year, communication, influence, training and support, investigations and a section only for authorities with parishes.

As with last year, the information you give us will feed into our Annual Review and we will be looking for items of notable practice to share with the standards community. We will once again be sharing your responses with the Audit Commission, to help inform their organisational "Use of Resources, Key Line of Enquiry" assessment.

When considering the questions, please refer to the guidance notes, as they will give you more details about the question and how to answer it.

If you are unsure about anything in this document, please contact our monitoring team on 0161 817 5300 or by emailing authorityreturns@standardsforengland.gov.uk.

PART 1: COMMUNICATION

The main roles of a standards committee are:

- to promote and maintain high standards of conduct by members
- to assist members in observing the Code of Conduct.

Your responses to this section will help us to collect examples of the different ways that standards committees communicate messages about ethical standards, both within the authority and to the wider public.

Annual Report

1) Does the standards committee produce an annual report?

YES/NO. If yes go to q2. If no go to q4

2) What does the report contain?

- A personal statement by the standards committee chairman
- Information about the members of the standards committee
- The role of the standards committee
- The standards committee terms of reference
- Information about the Code of Conduct
- Statistical information about complaints that have been received
- Information about the length of time taken dealing with complaints
- A summary of complaints which have led to investigation, sanction or other action
- Details about training/events provided
- The forward work plan of the standards committee
- Other (*You will be asked for more details if selected*)

3) How is the standards committee annual report circulated?

Note: If your return is not on the website please forward a copy to us. See the guidance notes for details.

- Sent to all senior officers
- Sent to all members
- Sent to parish/town councils (This is only displayed if your authority is applicable)
- Available on the authority intranet
- Available as a specific item on the authority website (You will be asked for the website address if selected)
- Available in the standards committee papers published on the authority website (You will be asked for the website address if selected)
- Included as a full authority meeting agenda item
- Publicised in local newspaper / press release
- Distributed to households
- Available at authority offices
- Not circulated outside of the standards committee
- Other (You will be asked for more details if selected)

Publicising Complaints

4) How can the public access information about how to make a complaint against a member?

- Through a 'compliments and complaints' type section of the council website (You will be asked for the website address if selected)
- Through the standards committee section of the website (You will be asked for the website address if selected)
- Complaints leaflets available from the authority
- Included as part of a council newsletter
- Advertised through parish councils
- Information is not available to the public
- Other (You will be asked for more details if selected)

5) How can the public access information about the outcome of initial assessment decisions?

- Written summary available for public inspection
- Press release issued for all initial assessment decisions
- Press release issued only if the subject member agrees
- Assessment decisions published on the authority website
- Articles published in the authority newsletter
- Other (You will be asked for more details if selected)

6) How can the public access information about the outcome of investigations?

- Hearings are open to the public
- Press release issued for all investigation outcomes
- Press release issued only if the subject member agrees
- Published on the authority website
- Decision notices are available for public inspection
- Articles in the authority newsletter
- Other (You will be asked for more details if selected)

7) Do you have a mechanism in place for measuring the satisfaction of all those involved in allegations of misconduct? For example the member, complainant and witnesses.

YES/NO. If yes go to q8. If no go to q9

8) If yes, please can you describe the process?

Open question

Communicating the role and work of the standards committee and standards generally

9) What does the authority do to promote the work of the standards committee and standards generally to the rest of the authority (i.e. internally)?

- Dedicated standards committee pages on intranet
- Standards committee has its own newsletter / bulletin
- Standards committee issues briefing notes
- Articles in employee newsletter / bulletin
- Standards committee independent members **observe** other authority meetings
- Standards committee independent members **contribute** to other authority meetings (*a box will appear to ask for further details about what kind of contribution*)
- Other (*you will be asked for more details if selected*)

10) How can the public access information about your standards committee?

- Dedicated standards committee section on the authority website (*you will be asked for the website address if selected*)
- Within 'council and democracy' type section of website (*you will be asked for the website address if selected*)
- Ethical standards issues have been included in the local press / media
- Standards committee minutes, agendas, and reports are available to the public
- Leaflets and/or posters are placed in public buildings
- Places articles in the authority newsletter / bulletin / other publication
- Standards committee meetings are observed by members of the public
- Information is not available to the public
- Other (*you will be asked for more details if selected*)

11) What else does the authority do to promote the work of the standards committee and standards generally to the public and other partners?

Open question

PART 2: INFLUENCE

A key factor in creating a strong ethical framework in authorities is clear ethical leadership from leaders and chief executives, setting the tone for the rest of the organisation.

Your responses to this section will help us to understand how closely your standards committee works with political and officer leadership in the authority, and the ways in which the leadership encourages strong ethical standards.

12) How does the standards committee communicate ethical issues to the senior figures within your authority (for example the Chief Executive and Leader of the Authority, Party Leaders)?

- Formal meetings between standards committee members and senior figures specifically set up to discuss standards
- Informal discussion on particular standards issues
- Senior figure attendance at standards committee meetings
- Monitoring Officer is a member of or attends Corporate Management Team (or equivalent) meetings
- Executive or senior member has portfolio responsibility for standards
- Chair (or other standards committee member) addresses full authority meeting(s)
- Other *(you will be asked for more details if selected)*

13) How do the senior figures in your authority demonstrate strong ethical values?

- Through a strongly promoted whistle-blowing policy
- By ensuring there are references to ethics in the authority vision / objectives
- Demonstrating appropriate behaviours
- Senior figure(s) makes personal commitment to standards in statements to public/employees
- Other *(you will be asked for more details if selected)*

14) Does your authority have a protocol for partnership working that outlines the standards of behaviour expected of all those working in partnership?

YES/NO

15) What mechanisms does the authority use for dealing with member/officer and/or member/member disputes?

- Informal discussion/mediation
- Monitoring Officer mediation
- Chair of standards committee mediation
- Senior figure mediation (e.g. Chief Executive)
- Advice from Human Resources department
- Solicitor / legal adviser consulted
- Informal hearing
- No mechanisms other than normal complaints process
- Other *(you will be asked for more details if selected)*

PART 3: TRAINING AND SUPPORT

A specific function of a standards committee is to train members on The Code of Conduct, or arrange for such training. A standards committee can also arrange training on the local standards framework. Your responses to this section will help us to form a view about what the most common topics and methods of training are so that we can share them with the rest of the standards community.

- 16) Between 1 April 2009 and 31 March 2010, has the authority assessed the training and development needs of authority members in relation to their responsibilities on standards of conduct?**

YES/NO. If yes, go to q18. If no, go to q17

- 17) If no, please give your reasons why?**

Open question. Go to q19

- 18) If yes, what needs were identified?**

- Introduction to the Code of Conduct
- Elements of the Code of Conduct
- The role and responsibilities of the standards committee
- Ethical governance/behaviour
- None

- 19) What training/support was provided during the period 1 April 2009 to 31 March 2010?**

- Introduction to the Code of Conduct
- Elements of the Code of Conduct
- Role and responsibilities of the standards committee
- Ethical governance/behaviour
- Other (You will be asked for more details if selected)
- None (go to q25)

20) Who received training/support?

- Standards committee chair
- Independent members
- Other standards committee members
- All authority members
- Specific authority members with particular needs (e.g. new members, planning committee members)
- Other *(you will be asked for more details if selected)*

21) What methods were employed to give training/support?

- Internal training (presentations/seminars/workshops)
- External trainer/speaker
- One on one training
- Joint/regional training event
- Online learning
- Guidance notes/briefing materials
- Standards for England materials
- Ethical governance toolkit
- Other *(you will be asked for more details if selected)*

22) In which areas of the Code of Conduct has training/support been provided?
(Only displayed if 'elements of the Code of Conduct' is selected at q19)

- Respect
- Personal/Prejudicial Interests
- Use of resources
- Bullying
- Disrepute
- Predisposition, Pre-determination and bias
- Equality
- Confidentiality
- Other *(you will be asked for more details if selected)*

23) What other training/support has been provided on areas of an authority member's role or activities they may engage in?

- Chairing skills
- Lobbying
- Predetermination, Predisposition and bias
- Blogging and/or the use of social media
- Electioneering
- Freedom of Information (FOI)
- Other *(you will be asked for more details if selected)*
- None

24) In general, how well attending was the training provided?

- 75% or more of those invited
- 50-75%
- 25-50%
- 0-25%

25) Please give a brief overview of how standards issues are covered in your induction process for new members of the authority?

Open question

26) In which areas of the role and responsibilities of the standards committee has training/support been provided for standards committee members? Please tick all that apply. (Only displayed if 'role and responsibilities of the standards committee' is selected at q19)

- Initial assessments
- Other action/mediation
- Reviews
- Investigations
- Hearings
- Sanctions
- Other *(you will be asked for more details if selected)*

PART 4: INVESTIGATIONS

27) How many investigations have been conducted during the period 1 April 2009 – 31 March 2010?

Enter number

If the answer is '0', go to q33 (only if your authority is parished). If you do not have parished you will have completed the questions.

If the answer is '1' or more go to q28

28) Of the investigations completed during the period, for how many have external investigators been used?

NOTE: This includes employees of other authorities

Enter number

29) Overall, what was your principle reason for out-sourcing the investigation(s)? (*Only appears the number given in question 28 is more than 0*)

- Impartiality
- Lack of staff resources
- To complete the investigation sooner
- Skills required
- Cost
- Other (*you will be asked for more details if selected*)

30) What type of external investigator(s) did you use?

- Employee of another authority
- Self-employed investigator
- Private law firm
- Other (*you will be asked for more details if selected*)

31) For the period 1 April 2009 to 31 March 2010, what was the approximate total cost of fees paid to the external investigator(s)?

Open question (for an amount)

32) Please provide a brief overview of the processes you have in place to ensure the quality of local investigations.

Open question

PART 5: RELATIONSHIPS WITH PARISH AND TOWN COUNCILS

(You will only be asked these questions if your authority has parishes)

We recognise the value of the vital role parish councillors play in representing their communities. Your responses to this section will help us to build a clearer picture of the level of support and communication between principle and parish/town councils.

33) Has your authority provided training for parish councillors during the period 1 April 2009 to 31 March 2010?

YES/NO. If yes go to q34. If no go to q37

34) If yes, what topics did the training cover?

- Freedom of Information (FOI)
- Confidential information
- Planning
- Lobbying
- Dual-hatted members
- The Code of Conduct generally
- Personal and prejudicial interests
- Bullying
- Other *(you will be asked for more details if selected)*

35) What methods were employed to give training/support?

- Internal training (presentations/seminars/workshops)
- External speakers
- One on one training
- Joint/regional event
- Guidance notes/briefing materials
- Standards for England's materials
- CALC speakers
- Part of wider parish liaison meeting

Other *(you will be asked for more details if selected)*

36) In general, how well attended was the training for parish councillors?

- 75% or more of those invited
- 50-75% of those invited
- 25-50%
- 0-25%

37) Has your authority provided training for parish clerks during the period 1 April 2009 – 31 March 2010?

YES/NO If yes got to q38. If no go to q41

38) What topics did the training for parish clerks cover?

- Freedom of Information (FOI)
- Working with confidential information
- Planning
- Lobbying
- Dual-hatted members
- The Code of Conduct generally
- Personal and prejudicial interests
- Bullying
- Other *(you will be asked for more details if selected)*

39) If yes, what methods were employed to give training/support to parish clerks?

- One on one training
- Internal training (presentations/seminars/workshops)
- External speakers
- Guidance notes/briefing materials
- Standards for England's materials
- Joint authority/regional event
- Other *(you will be asked for more details if selected)*

40) In general, how well attended was the training for parish clerks?

- 75% or more of those invited
- 50-75% of those invited
- 25-50%
- 0-25%

41) Does your council have a COMPACT (a formal agreement with your county Association of Local Councils about supporting standards for parish and town councils in the area)?

YES/NO

42) Describe the relationship between your authority and your County Association of Local Councils in relation to standards. For example, how regularly do you interact with them? Are you involved in delivering joint training?

Open question

43) Standards for England and Teesside University are currently researching the role of the Parish Liaison Officer. Teesside University have created a brief questionnaire to assess the organisational background, functions and skills needed to carry out the Parish Liaison role. Does your authority have a Parish Liaison Officer?

YES/NO/No but there is someone who fulfils the same functions

If yes or someone who fulfils the same functions go to q44. If no go to q45

44) Does the Parish Liaison Officer (or the person who fulfils the same functions) consent for the University of Teesside to contact them to complete a brief questionnaire about their role?

YES/NO If yes you will be asked the details below. If no go to q45.

If yes, please provide contact details (where there are multiple Parish Liaison Officers, just provide one contact):

Name:

Contact address:

Contact phone:

Email address:

- 45) What steps have you taken when dealing with parishes which have had problems with standards issues? For example, what preventative or capacity building work have you done with parishes?**

Open question

- 46) Which of the following areas would you like Standards for England to produce additional guidance on to support your work with parishes?**

- Lobbying
- Predetermination and bias
- Planning and interests
- Dual-hatted members
- Other (*you will be asked for more details if selected*)

Annual Return 2010 - Guidance notes

INTRODUCTION

These guidance notes have been produced to assist you in preparing your answers to the questions in our annual return for 2010.

All of the questions are included in these notes, and we have provided additional information where we think there may be an element of a question that is not entirely straightforward. For example, we have provided further explanation where a question uses a term or phrase that is specific to the standards community but may not be universally understood by everyone who comes into contact with the annual return.

Our additional information also includes more detail about the questions and about the types of answers we expect, and reasoning behind the inclusion of particular questions.

PART 1: COMMUNICATION

Annual Report

1) Does the standards committee produce an annual report?

Last year's annual return showed that 59% of standards committees produced an annual report. We are interested in finding out if this figure has changed.

2) What does the report contain?

You will not need to answer this question if you have indicated that the standards committee does not produce a report.

For those that answer "yes" to question 1, we have provided a list of some of the common elements we found when reviewing a number of standards committee annual reports from last year. You can select as few or as many of these elements as are applicable. If the annual report contains elements that are not included in our list, select "other" and a box will appear for you to type in a description.

An item in the list is "*forward work plan*" – by this we mean a detailed programme of standards committee objectives and proposed activities, rather than simply a timetable of future meetings.

3) How is the standards committee annual report circulated?

If your return is not on the website please forward a copy to us. See guidance notes for details.

You will not need to answer this question if you have indicated that the standards committee does not produce a report.

For those that answer "yes" to question 1, we have provided a list of some of the common ways that standards committee annual reports could be circulated. You can select as few or as many of these as are applicable. If your standards committee annual report is circulated in a different way, select "other" and a box will appear for you to type in a description.

If you indicate that the report is available on the authority website, you will be asked to provide a URL (web address).

Standards committee annual reports provide us with valuable detail and context about the work of the standards community. If yours is not available on the authority website, but you would like to share it with Standards for England, you can email a copy (preferably in PDF or Microsoft Word format) to our monitoring team at authorityreturns@standardsforengland.gov.uk. If sending by post, the address is:

The Monitoring Team
Standards for England
4th Floor, Griffin House
40 Lever Street
Manchester
M21 9LB

Publicising Complaints

4) How can the public access information about how to make a complaint against a member?

We have provided a list of some of the common ways that the public might access information about how to make a complaint against a member. You can select as few or as many of these as are applicable. If your authority uses a different method, select “other” and a box will appear for you to type in a description.

If you indicate that the authority website is a way that the public can access information you will be asked to provide a URL (web address) that links to the relevant section of the website.

5) How can the public access information about the outcome of initial assessment decisions?

We have provided a list of some of the common ways that the public might access information about the outcome of initial assessment decisions. You can select as few or as many of these as are applicable. If your authority uses a different method, select “other” and a box will appear for you to type in a description.

6) How can the public access information about the outcome of investigations?

We have provided a list of some of the common ways that the public might access information about the outcome of investigations. You can select as few or as many of these as are applicable. If your authority uses a different method, select “other” and a box will appear for you to type in a description.

If you indicate that the authority website is a way that the public can access information you will be asked to provide a URL (web address) that links to the relevant section of the website.

7) Do you have a mechanism in place for measuring the satisfaction of all those involved in allegations of misconduct? For example the member, complainant, and witnesses.

This question attempts to ascertain whether you routinely gather any kind of feedback from those involved in allegations about their experience of the complaints process. This is not about whether they believe the outcome of an initial assessment, investigation, or hearing was correct, but whether they feel the whole process was conducted professionally, fairly, and in a timely manner (appropriate to the complexity of the particular allegation). The feedback could be in the form of a survey, for example.

8) If yes, please can you describe the process?

See details under question 7. You might want to include some commentary about whether you believe the mechanism has been a success. If so, describe a particular example of where it worked well. A good description here will enable us to identify and share notable practice with the rest of the standards community.

Communicating the role and work of the standards committee and standards generally

9) What does the authority do to promote the work of the standards committee and standards generally to the rest of the authority (i.e. internally)?

We have provided a list of some of the common ways that authorities promote internally the work of the standards committee and standards generally. You can select as few or as many of these as are applicable. If you indicate that your independent members contribute to authority meetings, a box will appear to ask for further details about their contribution. If your authority uses a different method, select "other" and a box will appear for you to type in a description.

10) How can the public access information about your standards committee?

We have provided a list of some of the common ways that the public might access information about standards committees. You can select as few or as many of these as are applicable. If your authority uses a different method, select "other" and a box will appear for you to type in a description.

If you indicate that the authority website is a way that the public can access information you will be asked to provide a URL (web address) that links to the relevant section of the website.

11) What else does the authority do to promote the work of the standards committee and standards generally to the public and other partners?

This is an open question for you to inform us of anything extra your authority does to promote the standards committee to a wider audience, not already covered by the preceding questions.

We will be looking to identify notable practice here to share with the rest of the standards community.

PART 2: INFLUENCE

12) How does the standards committee communicate ethical issues to the senior figures within your authority (for example the Chief Executive and Leader of the Authority, Party Leaders)?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select “other” and you will be asked to provide extra details.

By using the term “senior figures” this question can relate to all forms of leadership within authorities. So, for example, with a police authority this could mean the Chair and the Chief Executive or for a fire authority it could be the Chair and the Chief Fire Officer.

The answers to this will help us gain a wider understanding of the level of importance a standards committee has within its authority. The focus here is on how well the standards committee and the senior figures communicate.

13) How do the senior figures in your authority demonstrate strong ethical values?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select “other” and you will be asked to provide extra details.

This question is different to question 12 as the focus is on what responsibility the senior figures personally have for standards rather than just attending meetings they are invited to. From the responses we will be able to take a view on how well supported the work of standards committees are by senior figures.

14) Does your authority have a protocol for partnership working that outlines the standards of behaviour expected of all those working in partnership?

A partnership protocol should enable partners to agree what behaviour they can expect from each other. It can be used as a means by which they can challenge each other and hold each other to account. Having a clear and transparent behaviour protocol can help promote trust amongst the partnership and the general public, demonstrating commitment to behaviour of a certain standard.

Please answer “yes” if your authority has developed or is currently working towards a protocol which matches, or has elements of, what is described above.

15) What mechanisms does the authority use for dealing with member/officer and/or member/member disputes?

We are keen to understand how the relationships between members and between members and officers are managed other than employing the complaints process. This kind of pro-active work is very important for building and maintaining a healthy culture of standards within an authority.

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select "other" and you will be asked to provide extra details.

PART 3: TRAINING AND SUPPORT

16) Between 1 April 2009 and 31 March 2010, has the authority assessed the training and development needs of authority members and standards committee members in relation to their responsibilities on standards of conduct?

Last year 75% of authorities indicated that they had assessed the training and development needs of members. We are interested to know if this figure has changed.

17) If no, please give your reasons why?

There may be good reasons why training and development needs were not assessed. We are interested in finding out about these circumstances.

18) If yes, what needs were identified?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select "other" and you will be asked to provide extra details.

19) What training/support was provided during the period 1 April 2009 to 31 March 2010?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select "other" and you will be asked to provide extra details.

20) Who received training/support?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select 'other' and you will be asked to provide extra details.

21) What methods were employed to give training/support?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select 'other' and you will be asked to provide extra details.

An item in the list is "*ethical governance toolkit*" – this is a group of materials designed to help local authorities assess how well they are meeting the ethical agenda and to improve further their arrangements. The toolkit consists of four main elements. Each of these is administered by either the Audit Commission or the IDeA. You can find out

more about this at

<http://www.idea.gov.uk/idk/core/page.do?pagelId=1115850#contents-4>

22) In which areas of the Code of Conduct has training/support been provided?

This question will only appear if the option “*elements of the Code of Conduct*” is selected at question 19.

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select “other” and you will be asked to provide extra details.

23) What other training/support has been provided on areas of an authority member’s role or activities they may engage in?

We have provided a list of activities and topic areas that members may be involved in. You can select as few or as many of these depending on what training or support has been provided. If training or support has been provided about different, but relevant topics, select “other” and a box will appear for you to type in a description.

24) In general, how well attending was the training provided?

Please select one of the options which best describes the overall attendance of the training provided during the year.

25) Please give a brief overview of how standards issues are covered in your induction process for new members of the authority?

Please give a brief indication of the level of training new members receive about the local standards framework and other relevant standards issues. Please include the topics covered and the methods used. The options in the above training questions should help guide you.

26) In which areas of the role and responsibilities of the standards committee has training/support been provided for standards committee members?

This question will only appear if “*role and responsibilities of the standards committee*” is selected at question 19. Please answer for training provided to standards committee members only.

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select ‘other’ and you will be asked to provide extra details.

PART 4: INVESTIGATIONS

27) How many investigations have been conducted during the period 1 April 2009 – 31 March 2010?

This question only requires a number for an answer. In the interests of avoiding duplication of work, we would prefer to get this information from the quarterly return. However, both the annual return and the quarterly return are to be completed at around about the same time near the year end. This means that we are unlikely to have the information from the quarterly return early enough. The purpose of this question is so that the online form knows whether to display or suppress questions 28 to 31 inclusive. For example, if you have not conducted any investigations, the next question you will be presented with is number 32.

28) Of the investigations completed during the period, for how many have investigators been used?

This will only appear if the answer to question 27 is more than “0”. If the answer is “0” the next question will be number 32.

This question only requires a number for an answer. This should be the number of completed investigations which have been to consideration and/or hearing and where the investigation was undertaken by someone outside of the authority. This includes employees of other authorities as well as those commercially sourced.

If you have not had any then please answer 0.

29) Overall, what was your principle reason for out-sourcing the investigation(s)?

This question will not appear if you have not completed any out-sourced investigations. Instead the next question will be number 32.

This question asks for only one reason to be selected. We understand that there may be multiple reasons for out-sourcing and they may be different from case to case. However we would like you to select what you consider to be the main reason overall, taking into account all out-sourced investigations. If your reason is not in the list please select “other” to open a text box for you to type a description of it.

30) What type of external investigator(s) did you use?

When responding to this question you can tick all the relevant answers on the list provided. Please remember to only consider the cases where an external investigator was employed.

31) For the period 1 April 2009 to 31 March 2010, what was the approximate total cost of fees paid to the external investigator(s)?

Standards for England would like to understand the costs incurred with out-sourced investigators. This is difficult to calculate so we are asking for the total amount invoiced to you for the external investigator's work.

32) Please provide a brief overview of the methods you use to guarantee the quality of local investigations.

An example of this could be similar to the mechanisms you described in your response to question 7. A feedback survey of people involved in an investigation might be one method. Please provide as much detail as possible, as this is another area in which we would like to identify notable practice to share with the rest of the standards community.

PART 5: RELATIONSHIPS WITH PARISH AND TOWN COUNCILS

This section is only for authorities with parish/town councils. For those without, you have reached the end of the annual return questions.

33) Has your authority provided training for parish councillors during the period 1 April 2009 to 31 March 2010?

This question is about parish councillors only; please do not take parish clerks or any other member/officer into account. You will be asked about training for parish clerks in a later section.

34) If yes, what topics did the training cover?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select “other” and you will be asked to provide extra details.

35) What methods were employed to give training/support?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select “other” and you will be asked to provide extra details.

36) In general, how well attended was the training for parish councillors?

This question is designed to find out about the level of “take-up” of parish councillor training. Our general understanding is that attendance levels at such events can vary significantly. We would like more concrete evidence as to whether this is true or not. Please take all parish councillor training into account, if there have been multiple events, and come to an aggregate conclusion.

37) Has your authority provided training for parish clerks during the period 1 April 2009 – 31 March 2010?

Only select “yes” if there has been training specifically for parish clerks during the specified period.

38) What topics did the training for parish clerks cover?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select "other" and you will be asked to provide extra details.

39) If yes, what methods were employed to give training/support to parish clerks?

There is a list of possible answers which you can select from and you can select all the ones which apply to your authority. If you would like to inform us of an answer not in the list, select "other" and you will be asked to provide extra details.

40) In general, how well attended was the training for parish clerks?

Please select the option that best describes the overall attendance of the training provided during the year.

41) Does your council have a Compact (a formal agreement with your County Association of Local Councils about supporting standards for parish and town councils in the area)?

A Compact is a formal document between an authority and their County Association of Local Councils. A potential outcome of the compact could be delivering joint training, for example.

42) Describe the relationship between your authority and your County Association of Local Councils in relation to standards. For example, how regularly do you interact with them? Are you involved in delivering joint training?

This question has been left open so that you have the opportunity to tell us about how you work with your County Association of Local Councils. You may also wish to refer to or expand on your answer to question 41.

43) Standards for England and Teesside University are currently researching the role of the Parish Liaison Officer. Teesside University have created a brief questionnaire to assess the organisational background, functions and skills needed to carry out the Parish Liaison role. Does your authority have a Parish Liaison Officer?

A Parish Liaison Officer acts as a point of contact between the principle authority and the parishes/town councils. They provide advice and support and will often attend parish/town council meetings. If you do not specifically have a Parish Liaison Officer

but there is someone within the authority who carries out the role described, please answer “*no, but there is someone who fulfils the same functions*”

44) Does the Parish Liaison Officer (or the person who fulfils the same functions) consent for the University of Teesside to contact them to complete a brief questionnaire about their role?

This question will only appear if you answer yes or “*no but there is someone who fulfils the same functions*” to question 43. If you have the contact details of the Parish Liaison Officer (or person with the same functions) and they consent to taking part in the research described above, please answer yes and then a box will appear for you to fill in their contact details.

45) What steps have you taken when dealing with parishes which have had problems with standards issues? For example, what preventative or capacity building work have you done with parishes?

We will use the responses to this question to identify notable practice and share it with other authorities that have parishes. Please indicate how successful the methods you used were and why you think this was the case.

46) Which of the following areas would you like Standards for England to produce additional guidance on to support your work with parishes?

We are always looking to enhance the range of guidance we produce and the parish sector is one of the key areas that we could focus on. Responses to this question will help us to identify specific areas in which guidance may prove useful.

TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 25th MARCH 2010

JOINT STANDARDS COMMITTEE - UPDATE

REPORT OF HEAD OF GOVERNANCE AND MONITORING OFFICER

1. PURPOSE

- 1.1 To seek permission from the Standards Committee to put arrangements for a Joint Standards Committee on hold and to recruit an independent member to replace the Chairman of the Standards Committee

2. RECOMMENDATIONS

2.1 That work to develop a Joint Standards Committee with the Shropshire & Wrekin Fire Authority is put on hold and

2.2 That the Committee instruct the Monitoring Officer to commence a recruitment process for a new independent member of the Standards Committee.

3. SUMMARY

The Standards Committee had asked Officers to look into the possibility of setting up a Joint Standards Committee with the Shropshire & Wrekin Fire Authority. Further work has been undertaken but officers are now suggesting that the matter is put on hold at present. Consequently officers are also asking that the vacancy about to be created by the Chairman of the Standards Committee is filled by way of a recruitment process for a new independent member of the Committee.

4. PREVIOUS MINUTES

Standards Committee – 18 June 2009, 17 September 2009

5. INFORMATION

5.1 On the 17 September 2009 this Committee considered a report from the Head of Governance & Monitoring Officer (then Head of Legal Services) and agreed that the Committee should look into the possibility

of establishing a Joint Standards Committee with Shropshire & Wrekin Fire Authority.

Following consideration of that report the matter was similarly considered by the Standards Committee at Shropshire & Wrekin Fire Authority who were also in agreement that a Joint Standards Committee should be explored. That Committee also asked that Shropshire Council should also be approached to see whether they would be prepared to take part in the Joint Standards Committee arrangements.

Some initial work was undertaken including speaking to Shropshire Council who were unable to provide a commitment to the Joint Standards Committee process at this stage. Officers have considered the further work that needs to be undertaken in order to establish a Joint Standards Committee within the time scales originally set out and the potential benefits that it may bring in the short term. Officers are now of the view that it would take significant amount of resources to set up a Standards Committee and that it would be difficult to allocate such resources to this project at the current time.

Accordingly Officers seek permission from the Committee to put further work in respect of establishing a Joint Standards Committee on hold for the time being and set the matter for review later on in the next Municipal year. Due to the potential for a combined Joint Standards Committee, work has not been undertaken to recruit a vacancy which is due to be created as a result of the Chairman standing down following completion of his two terms of office. In order to ensure that the full compliment of independent members of the Standards Committee is maintained, officers request that the Committee instruct the Monitoring Officer to commence a recruitment process for a new independent member of the Committee.

5.2 Equality and Diversity

If the Committee agree to commence a recruitment process for a new independent member of the Standards Committee the Monitoring Officer will ensure that the process complies with all relevant equality and diversity legislation requirements

5.3 Environmental Impact

None

5.4 Legal Comments

The provision for a Joint Standards Committee is set out in the Standards Committee (Further Provisions) (England) Regulations 2009 ("the Regulations"). Part of the regulations allow for a Joint Standards Committee to be set up in accordance with provisions set out in the Local Government and Public Involvement and Health Act 2007.

Entering into Joint Standards Committee arrangements is optional and is not a mandatory requirement. There is also no time limit as to when a Joint Standards Committee has to be established. Accordingly, unless there is any change in the aforementioned regulations and primary legislation, this is a matter which can be returned to at a later date.

5.5 Links with Corporate Priorities

Ensuring that the Standards Committee considers options in relation to joint arrangements and also maintains the appropriate level of independent members for the Standards Committee assists the council in its aim to be efficient and effective when undertaking statutory duties.

5.6 Opportunities and Risks

The potential risks of not proceeding with Joint Standards Committee arrangements have been assessed and will be minimised.

5.7 Financial Implications

A budget is in place for the payment of special responsibility allowances to members who sit on the Standards Committee. The recruitment of a new independent member for the Standards Committee will be met from this budget.

5.8 Ward Implications

District wide implications

6. BACKGROUND PAPERS

None

Report prepared by Matthew Cumberbatch, Legal Services Manager Tel: 01952 383255

TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 25 MARCH 2010

CODE OF CONDUCT TRAINING 2009/2010

REPORT OF HEAD OF GOVERNANCE AND MONITORING OFFICER

1. PURPOSE

- 1.1 To update Members with regard to the recent Code of Conduct training seminars and seek instructions on further Code of Conduct training to be arranged.

2. RECOMMENDATIONS

2.1 That the committee provide instructions to the Monitoring Officer on future Code of Conduct training.

3. SUMMARY

Three Code of Conduct training sessions took place during February and March 2010. Feedback from the training shows that it was well received and an improvement from the training provided last year. The views of the Committee are sought with regard to future training.

4. PREVIOUS MINUTES

Standards Committee – 24 January 2005
Standards & Audit Committee – 4 April 2006, 21 April 2006, 12 September 2006, 11 September 2007 (ST-24), 29 January 2008 (ST-50),
Standards Committee - 18 December 2008 (ST-23),
Standards Committee - 11 February 2009

5. INFORMATION

5.1 Code of Conduct training for borough councillors and councillors from the Town & Parish Councils took place on the 22 February and 2 March respectively. There were three training sessions following a new format previously agreed by this Committee. Training was in a workshop style which included case studies and involved more feedback from the participants than in previous years. The training also took place in

different locations in order to encourage more parish and town councillors to attend.

Attendance was as follows:-

Total attendance – 84

Borough Councillors – 31

Parish Councillors – 45

Others (Officers and Fire Authority members and officers) – 8

Attendance at Training Session on 22 February (afternoon) at Holiday Inn, Telford – 36

Attendance at Training on 22 February (evening) at Whitehouse Hotel, Wellington – 33

Attendance at Training Session on 2 March (evening) at Jubilee House, Madeley – 15

Overall the feedback from the training sessions was as follows:-

AFTERNOON SESSION

RATING	1	2	3	4	5
JOINING INSTRUCTIONS	5	1	7	27	21
CONTENT OF TRAINING	1	0	5	28	27
QUALITY OF PRESENTATION / WORKSHOPS	0	0	8	32	21
SUPPORTING MATERIAL / HANDOUTS	0	1	7	32	21
VENUE	1	5	7	18	30
OVERALL, HOW USEFUL WAS THE TRAINING	1	1	6	27	26

1 = Poor, 2 = Unsatisfactory, 3 = Satisfactory, 4 = Good, 5 = Excellent

In addition to the ratings there were also comments added to some of the feedback forms which were generally favourable.

The Committee is asked to consider the details concerning the recent training (set out above) and provide instructions for the Monitoring Officer concerning future code of conduct training.

5.2 Equal Opportunities

The Monitoring Officer will ensure that Code of Conduct training complies with all equality and diversity legislation and is available to all eligible Councillors.

5.3 Environmental Impact

No implications identified

5.4 Legal Comments

Code of Conduct training is not compulsory but is strongly advised. It is also preferable to have Code of Conduct training undertaken on a regular basis in order that members can be made aware of recent cases which give more guidance on the interpretation of the Members Code of Conduct.

5.5 Financial Implications

The cost of delivering the Code of Conduct training was £2912.26 including VAT which was met from existing training budgets.

5.6 Links with Corporate Priorities

Ensuring that elected members are kept up to date with the terms of the Code of Conduct assist the Council in meeting its objective with being efficient and effective and customer focused Council.

5.7 Opportunities and Risks

The opportunities and risks associated with providing regular Code of Conduct training have been identified and assessed. Arrangements are being put in place to manage the potential opportunities made available by providing regular Code of Conduct training and managing the risks that arise particularly from non-attendance at the training by elected members.

5.8 Ward Implications

District Wide Implications

6. **BACKGROUND PAPERS**

None

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TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 25th MARCH 2010

**CODE OF CONDUCT QUARTERLY COMPLAINTS MADE TO THE
STANDARDS COMMITTEE – QUARTERLY UPDATE 1st October 2009 –
31st December 2009**

REPORT OF HEAD OF GOVERNANCE AND MONITORING OFFICER

1. PURPOSE

To provide the Committee with details of the Code of Conduct complaints received by the Standards Committee during the period 1st October 2009 – 31st December 2009.

2. RECOMMENDATION

That the contents of this report are noted.

3. SUMMARY

From 1st October 2009 to the 31st December 2009 the Standards Committee received complaints about elected members which proceeded to the referrals sub-committee. A quarterly return has been forwarded to the Standards for England.

4. PREVIOUS MINUTES

Standards Committee – 9 December 2008 (ST-16).
Standards Committee -18 December 2008 (ST- 25)
Standards Committee -11 February 2009 (ST- 31)
Standards Committee – 21st April 2009 (ST-37)
Standards Committee – 17th September 2009 (ST-16)

5. INFORMATION

5.1 Background

Under Section 186 of the Local Government and Public Involvement in Health Act 2008 (amending the Local Government Act 2000) there is a requirement that the Council provide regular returns to the Standards Board for England confirming the number

of Code of Conduct complaints received by the Authority for local assessment.

The return period was 1st October 2009 – 31st December 2009. During that period the Standards Committee received 2 complaints about elected members which proceeded to local assessment. The complaints were made by the Monitoring Officer.

The complaints were considered by the Referrals Sub-Committee who referred the matter for local investigation.

During the return period the review sub-committee considered one review application made by a Borough Councillor concerning three Telford & Wrekin Borough Councillors (original assessment made by the referrals Sub-Committee on 27th August). The sub-committee decided to uphold the original decision and that no further action was required.

The return was sent electronically to the Standards Board for England confirming this information.

5.2 Equal Opportunities

There are no issues to be addressed.

5.3 Environmental Impact

No implications

5.4 Legal Comment

The legal comment is contained within the main body of this report.

5.5 Links with Corporate Priorities

It is important that this Committee is provided with up to date information as to the nature of the complaints received and the elements of the Code it relates to. This can assist the Committee in looking at areas where further work needs to be done, for example in respect of specific topics to be dealt with during Code of Conduct training. All of these actions contribute to assisting the Council in meeting corporate priorities of being an efficient and effective and customer focussed Council.

5.6 Opportunities and Risks

The opportunities and risks associated with providing this information to the Committee have been identified and assessed. Arrangements have been put in place to manage the risks and maximise the opportunities that have been identified.

5.7 Financial Implications

Code of Conduct Complaints are dealt with within existing resources and any over spends will be reported as part of the routine financial monitoring process.

6. WARD IMPLICATIONS

District wide implications.

7. BACKGROUND PAPERS

None

***Report prepared by Matthew Cumberbatch, Legal Services Manager,
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