



STANDARDS COMMITTEE
3 July 2009

LGC STANDARDS AND ETHICS AWARD: LEARNING POINTS

PURPOSE OF REPORT: to decide

This report is to provoke discussion leading to an agreed plan of action.

Introduction:

1. On 15 September 2009, Standards Committee considered whether to enter the LGC Standards and Ethics Award. It agreed not to enter in 2009 but to identify and address any areas of current weaknesses. The Committee began this work with the Standards of Conduct survey of Councillors and senior officers. The Committee also agreed to learn from the Standards and Ethics Award.
2. The Standards Board for England (SBE) has a role in ensuring the effectiveness of local standards arrangements. To do this, it collects information about those arrangements from Local Authority Monitoring Officers. The first Annual Return requested by Standards Board was extensive and suggests the direction that the SBE considers Standards Committees should be taking.

Good Practice – The Standards and Ethics Award:

3. Six local authorities were shortlisted for the Standards and Ethics Award:
 - Ceredigion County Council
 - Leeds City Council
 - Lincolnshire County Council
 - Newark and Sherwood District Council
 - Newcastle City Council
 - Rossendale Borough Council

Standards Board described the authorities as having “a dynamic approach to improving and promoting ethical standards among members and helping to boost public confidence in local democracy”.

4. Engaging Leadership

- Rossendale Borough Council has an **engaged chief executive and council leader who champion standards** at the authority.
- Newark and Sherwood District Council has a very **proactive monitoring officer**, Kirsty Cole, who regularly speaks at different events and has a national profile in the standards committee. This has enabled Kirsty to share her experience and knowledge at events both locally, regionally and nationally, in training IDeA peers on Code of Conduct and ethical governance issues and undertaking work as an IDeA peer undertaking ethical governance reviews.
- Rossendale Borough Council's standards committee **monitor current policies** and proactively **seek to influence and develop new policies**, which helps to embed high ethical standards and good governance.
- Leeds City Council's standards committee produce an **annual report that is reported to the full council**. The standards committee also has a **forward work plan**, which is kept under review by officers with reference to national developments.
- Rossendale Borough Council has appointed **lead officers to act as 'Governance Champions'** to promote high standards and advise on issues such as contract procedures, their gifts and hospitality policy and whistle-blowing.

At Surrey ...

- The Chairman of Standards Committee has met with the Chief Executive and Leader of Council.
- Reports of Standards Committee meetings are taken to the next Council meeting.
- The Chairman of Standards Committee wrote to every candidate in the recent election and to every newly elected Member to stress the importance of good standards.
- Standards Committee has a work plan that is kept under review by officers. It also has an action tracker to ensure that actions agreed by the Committee are taken forward.
- The Council has policy custodians who monitor and report annually on the effectiveness of policies. The Monitoring Officer has officer responsibility for the Members' Code of Conduct and ethical standards regime.

What Standards Committee could do:

- Hold more regular meetings between the Chairman of Standards Committee, the Chief Executive and Leader of the Council.
- Produce an annual report, which is reported to Council.
- Include the Committee work plan and action tracker in the Committee's meeting papers.
- Find out more about the policies that Rossendale Borough Council's Standards Committee help to develop and monitor.
- Publicise the role of the Monitoring Officer as policy custodian for the Member's Code of Conduct and ethical standards regime.

5. Training and skills for Members

- Rossendale Borough Council is **focused on member development** and have worked with the IDeA on a learning programme. All their councillors also have a **personal development plan**.
- Some councils ensure their members receive **media and presentation skills** so they are well equipped to deal with the local media's questions.
- Leeds City Council develop **training in formats tailored to their members needs** and now provide **e-learning courses** for councillors to give them extra guidance on the Code of Conduct. Their standards committee **review the decisions of the Adjudication Panel** and consider any lessons the council could learn.
- Newark and Sherwood District Council worked with the Local Government Training Unit and with qualified mediators to develop a **course on mediation**, which was attended by over 50 delegates from all over England and Wales.
- Leeds City Council has provided all their parish councillors with access to a new **online training system from the IDeA called 'Modern Councillor'**.
- As part of Rossendale Borough Council's standards committee's commitment to learning and development; **at every meeting members consider a real-life case study of standards issues from another authority to discuss what can be learned from the situation and applied** in Rossendale.
- Rossendale Borough Council's **councillors serving on Development Control or Licensing Committee must receive training before taking up their position** so that they are aware of protocols, policies and regulations governing these meetings.

- Newark and Sherwood District Council has developed a **recruitment pack for the appointment of independent members containing a job description, person specification, advertisement and guidance on legislative requirements**. A copy of this is referenced on ACSeS' website.

At Surrey ...

- There is a strong focus on Member development. All Councillors will have a personal development plan produced as part of induction following the election.
- The induction information provided to Members following the recent election includes details of upcoming training and development opportunities.
- All Executive Members were offered presentation skills training in the last year and are in the process of receiving media training. The plan is to roll out this training more widely.
- Members are to be asked how they wish to receive training as part of the induction of the new Council. The possibility of e-learning courses for Members is under investigation.
- Surrey is signed up to Modern Councillor, an e-learning service for Members that includes a module on the Code of Conduct. Officers are investigating how best to inform Members about its use.
- All councillors sitting on Planning and Regulatory Committee must receive training before taking up their position.
- A recruitment pack was developed for the appointment of independent representatives in 2008.

What Standards Committee could do:

- Develop a training programme on Standards issues tailored to Members needs, this could include an e-learning course if these are rolled out.
- Standards Committee could regularly consider case studies to glean learning.
- The Chairman of Standards Committee could be invited to attend training on Chairing skills and working with the media.
- Update and improve the Recruitment Pack for use in the recruitment of Independent Representatives during 2010.

6. Communicating with staff and stakeholders

- Leeds City Council has developed an **internal newsletter called 'Governance matters'** which promotes ethical and corporate governance issues and details the work of their standards committee.

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- Leeds City Council has identified **good ethical behaviour** as part of the organisations **overall aspirational culture**.
- Rossendale Borough Council has their own **slogan 'Serious about standards'** which helps to engage staff.
- Councils can hold **events** to engage their members and council officers and **keep them up-to-date with what the authority is doing to maintain high standards**. For example, some councils host clerk forums that are regular meetings between council officers and town and parish clerks.
- Lincolnshire County Council produce standards committee **annual reports** that outline the members of the committee, what they do, their work programme and the numbers of complaints and policies they've considered.
- Newcastle City Council has used their **internal staff information bulletin** to draw staff attention to the code of conduct for members and the work of the Committee.
- Some councils **agree various ethics statements** that are used in publicity and in engagement with the public and other stakeholders.
- Rossendale Borough Council's standards issues are reinforced through the **corporate Team Briefing**, in their **staff newsletter 'Grapevine'** and through specific **information booklets on whistleblowing and their gifts and hospitality policy**.

At Surrey ...

- We have promoted changes to the complaints system on the Council's intranet.
- We have recently surveyed Members and senior officers about Standards of Conduct at Surrey and shared the results with them. The Interim Chief Executive commended this work to all Members and to senior officers.
- In May 2008, the Council agreed guidance for Members on gifts and hospitality, which is appended to the Member Code of Conduct. It has also agreed a new Staff Code of Conduct that includes a section on gifts and hospitality.

What Standards Committee could do:

- Produce an annual report and share with officers.
- Approach the editorial board of the internal staff bulletin about articles on the Standards Committee and Code of Conduct.
- Research other methods of communicating with staff and stakeholders.

7. Increasing confidence in democracy

- Waveney District Council's standards committee are calling on budding young filmmakers to help them raise awareness of their work. The Waveney Young Filmmaker competition gives young people a great opportunity to showcase their creative talents. **The winning film will bring a new perspective to the work of the standards committee giving them a fresh way to promote ethical governance to the local community.**
- Newcastle City Council made sure they promoted the changes to the complaints system with a number of **articles in their residents newsletter**. This newsletter also **included an article written by the standards committee Chairman** to promote the role of the standards committee.
- Leeds City Council's **standards committee has its own communications plan** covering members, parishes and the public.
- Newark and Sherwood District Council **promotes the role of its standards committee to the local media and in their community newsletter**.
- Colchester Borough Council held an **'I'm a Councillor get me out of here'** event that aimed to get young people and councillors talking. This involved a number of schools in the Colchester area.
- The chairman of Ceredigion County Council's standards committee took an active role in highlighting the role of the committee, the importance of the Code and the integral role of independent members in a **local press article**.
- Rossendale Borough Council host an **annual Local Democracy Week**, which aims to **help young people understand more about their council and local democracy**. Primary schools tour the Council Chamber, discuss council services and learn about the role of the Mayor and Councillors. Secondary school pupils also take part in a 'Question Time' event to pose challenging queries to local councillors and community leaders.

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- Rossendale Borough Council has also produced a **Standards Bulletin** that is published on their website so that local people and partners can be assured of the correct conduct of the council.
- Lincolnshire County Council is one of the few councils providing **live webcasts of council meetings** with an archive on their website.

At Surrey ...

- We promoted changes to the complaints system with a press release, which was also published on the Council's website.
- We have developed web pages on Standards Committee, including pen portraits of the Independent Representatives, and the complaints system.
- The recruitment process for new independent representatives in 2008 was used as an opportunity to publicise the Standards Committee. Adverts were placed in the local press, on the Council's jobs website, and in libraries. A press release was put out and a news item published on the Council's web site.
- The Council is active during Local Democracy Week. Past events have included "I'm a Councillor Get Me Out of Here!" and speed dating.

What Standards Committee could do:

- Approach the editorial board of Surrey Matters to publish an article on Standards Committee and the Code of Conduct.
- Further advertise the complaints process to the public.
- Produce an annual report and publish on the Standards Committee web pages.

8. Working in partnerships with other authorities

- Ceredigion County Council **hosted the Welsh Standards Conference** with Wales ACSeS Group at Aberystwyth University for monitoring officers and standards committee members to share their experiences of the new Code. The Council is also **developing close links with the University and the Monitoring Officer will shortly be providing a talk to law students in the University in relation to legal careers in local government.**
- Rossendale Borough Council **advises Burnley Borough Council on their protocols and work for the standards committee.**

- Newark and Sherwood District Council **provide best practice, advice and support to other authorities via Nottinghamshire and Lincolnshire standards forums, monitoring officer groups and the organisation of an annual Monitoring Officers' conference.**
- Newcastle City Council standards committee has built a **proactive relationship with chief whips.**
- Newark and Sherwood District Councils monitoring officer has been proactive in **leading a Nottinghamshire Monitoring Officers Group** which meets regularly to discuss ethics and standards and to share learning and knowledge. As a result, the Nottinghamshire districts have developed **common procedures and protocols for dealing with standards complaints.**
- Rossendale Borough Council's **proposals for a Joint Standards Committee** with other councils will provide increased capacity and make it easier to avoid any conflicts of interest. This will create a stronger support and advisory function, which can draw on its collective experience to promote greater consistency in procedures and decisions.
- Ceredigion County Council produced a **flow chart to assist with training for councillors**, which has been distributed to all monitoring officers in Wales.
- Leeds City Council's standards committee maintain a **close relationship with the Corporate Governance and Audit committee** (CGA) and send them a progress report every six months.
- Newark and Sherwood District Council adopted a **deliberate policy to share their learning and best practice** not just locally, but regionally and nationally.
- Nottinghamshire Monitoring Officer Group identified a particular problem in respect of the understanding of governance issues within parishes and responded to this by developing the '**Parish Council Toolkit**'. All parish councils in Newark and Sherwood District Council have received a copy and many have adopted its model procedures. This has been welcomed by the Society for Local Council Clerks (SLCC) who is working closely with the group to produce version three of the toolkit.

At Surrey ...

- Training is to be provided to local committees, which include both County Councillors and Borough Councillors, on their responsibilities under the Code of Conduct.
- Independent Representatives attend the South East Independent Members Forum.
- The Surrey Administrators and Solicitors Group share information on Standards issues.

What Standards Committee could do:

- Approach Surrey Police Authority with proposals for a joint Standards Committee.

9. The winning authority was Rossendale Borough Council. The SBE was impressed by the way Rossendale's standards agenda had made "a real difference". The SBE stated:

"A strong, visible standards campaign, with the strapline 'Serious About Standards', has not only helped Rossendale to achieve a substantially improved rating in its corporate assessment, but has also seen resident satisfaction up by 8% and an increased turn out at local elections.

The judging panel also praised Rossendale's standards training programme for Members and the demonstrable commitment, filtered down from the highest level, to promoting and maintaining the standards framework".

Standards Board for England – Annual Return:

10. The Annual Return requested by the SBE highlights the following as potential work areas for Standards Committee:

- The production of an Annual Report that is reported to Council and publicised to officers and the public
- Promoting high standards internally and to the public
- Assessing the training and development needs of Members in relation to their responsibilities on standards of conduct.
- Providing training to ensure high standards of conduct and in relation to the operation of the local standards framework.
- Engaging with the authority's leadership
- Advertising the complaints process to the public
- Ensuring the complaints process is handled effectively and efficiently
- Overseeing Member/officer relations
- Promoting the need to declare interests and the receipt of gifts and hospitality
- Promoting high standards of officer conduct

Conclusions:

The Standards and Ethics Award has identified good practice in the approach of many local authorities to improving and promoting ethical standards among Members as well as helping to boost public confidence in local democracy. This report suggests that there is good practice in Surrey but that there are opportunities for Standards Committee to develop this work further.

Financial and value for money implications

11. There would be financial implications to any action plan agreed by Standards Committee.

Equalities Implications

12. Members and co-opted Members need to be aware of their obligation under the Code of Conduct not to do anything which may cause the authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006) [paragraph 2(a)].
13. Training will need to be provided in a way that meets different requirements.
14. Communications plans should ensure that hard to reach groups' needs are addressed.

Risk Management Implications

15. Councillors could be at risk if they have not received Code of Conduct training and similarly the Council could be at risk if it cannot prove that it has provided training.
16. The theft, loss or leaking of confidential documents, information and decisions leading to reputational and financial damage is listed as an amber risk in the Democratic Services risk register. The mitigating action is to ensure that all Members are aware of and understand the Code of Conduct and their personal responsibilities within this. Inappropriate public behaviour by members and/or staff leading to reputational damage is also a green risk.

Implications for the Council's Priorities or Community Strategy/Local Area Agreement Targets

17. None.

Recommendations:

That Standards Committee considers the good practice detailed in the report above and identify any actions it wishes to take forward.

Next steps:

Action plan agreed by Standards Committee to be taken forward.

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Sources/background papers:

www.standardsboard.gov.uk