



AGENDA

STANDARDS COMMITTEE

Monday, 27th April, 2009, at 9.30 am in the Stour Room, Sessions House, County Hall, Maidstone Ask for: **Peter Sass**
Telephone **01622 694002**

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

1. Substitutes/apologies
2. Declarations of Interest
3. Minutes of the meeting held on 25 November 2008 (Pages 1 - 4)
4. Kent Audit Review of the locally managed Framework (Pages 5 - 16)
5. Advice Note 4 - Development Control Decisions (Pages 17 - 32)
6. Update on Member Development (Pages 33 - 86)
7. Monitoring of Complaints (Pages 87 - 90)
8. Declaration of Interests - Standard agenda forms (Pages 91 - 94)
9. Work Programme (Pages 95 - 96)

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services and Local Leadership
(01622) 694002

Friday, 17 April 2009

Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.

This page is intentionally left blank

KENT COUNTY COUNCIL

STANDARDS COMMITTEE

MINUTES of a meeting of the Standards Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Tuesday, 25 November 2008.

PRESENT: Miss R MacCrone (Chairman), Mr L Christie, Mr D S Daley, Mr J F London and Mr P Gammon, MBE.

IN ATTENDANCE: Mr G Wild (Director of Law and Governance), Mr P Sass (Head of Democratic Services and Local Leadership) and Mrs M Cooper (Democratic Services Manager (Council and Governance))

UNRESTRICTED ITEMS

26. Substitutes and apologies
(Item 1)

It was noted that Mrs Ahmed was not present and an apology not received. Mr Sass was asked to contact Mrs Ahmed to ensure that she had received the papers and was aware of the meeting date.

27. Declarations of Interest
(Item 2)

No personal or prejudicial interests were declared by any Member of the Committee.

28. Minutes of the meeting held on 22 May 2008
(Item 3)

RESOLVED: that the minutes of the meeting held on 22 May 2008 were approved and signed as a correct record.

29. Role of the Standards Committee
(Item 4)

(1) The Committee considered a report of the Head of Democratic Services and Local Leadership in relation to the current and possible future role of the Committee, with particular regard to the promotion of high ethical standards. The Committee considered the results of a survey undertaken by Lancashire County Council into the role of Standards Committee, together with a Standards Board for England publication on the role and makeup of Standards Committees.

(2) During the debate, the following key conclusions were drawn:

(a) The Committee's existing role and activities in the promotion of high standards of conduct by both elected and co-opted Members is a positive one. The Committee's annual report to the County Council, now in its sixth year, is good practice; the new responsibilities for local investigations have been introduced smoothly; there is excellent cooperation with the

Independent Remuneration Panel; and there is a constructive working relationship with the 3 Group Leaders in relation to the work of the Committee.

- (b) It is always good to see how other authorities deal with similar issues and the debate prompted by the work carried out by Lancashire County Council was constructive and interesting.
- (c) Compared to some other authorities, there is a partial crossover at KCC between the work of the Standards Committee and the Governance and Audit and Selection and Member Services Committees. Members agreed that they were not seeking to replicate any of the work of these Committees.
- (d) Members noted that the quarterly Standards Board Bulletin is sent in hard copy to all Members of the Council, together with a covering letter summarising the key points. The next such Bulletin was due to be received during December.
- (e) In relation to the size and composition of the Committee, Mr Sass was asked to confirm in writing to Members the relative appointment periods for the independent Members of the Committee.
- (f) The Chairman mentioned her role as a member of the Kent and Medway Independent Standards Committee Member Liaison Group, which she said was a useful forum to discuss areas of common interest.
- (g) Mr Sass was asked to check the last time that the remuneration for independent Members was agreed and whether it was appropriate to include the matter in the forthcoming review.
- (h) With regard to training, it was agreed that the independent Members of the Standards Committee should include details of their training in the Committee's annual report.
- (i) Members agreed that a report should be submitted to each meeting of the Standards Committee, giving the relevant details of the current stage of any complaints that had been investigated by the Assessment Sub Committee, anonymised accordingly.
- (j) It was suggested that there should be a standing item each year to review the Register of Members' Interests, Gifts and Hospitality, starting in the new Council term.
- (k) It was also suggested that the Committee should review at least once a year whether personal and prejudicial interests are being properly recorded by Members at meetings.
- (l) It was agreed that it was good practice to continue to encourage a constructive working relationship with the 3 Group Leaders and that they should all be invited to attend a meeting of the Standards Committee at least once a year, possibly in connection with the Committee's review of registered and/or declared interests or another appropriate matter.

- (3) RESOLVED that the Head of Democratic Services and Local Leadership be asked to prepare a revised work programme for the Standards Committee, taking on board the comments and conclusions listed above.

30. Variation in the order of business
(Item 5)

The Committee agreed to vary the order of business as set out on the agenda, by taking item 6 (Member Development) before item 5 (DCLG Consultation Paper on the Code of Conduct for Members)

31. Member Development
(Item 6)

(1) The Committee considered a joint report from the Head of Democratic Services and Local Leadership and the Director of Personnel and Development in relation to the progress being made on the Member Development Charter, the Member Development Policy and induction and development events for Members.

(2) It was noted that, whilst there had been opportunities for ongoing training for Members, the primary focus currently was in relation to the Member Induction and Development programme for the next Council term beginning in June 2009, of which the most significant aspect from this Committee's perspective was the Code of Conduct and ethics, including the role of the Standards Committee.

- (3) RESOLVED that the report be noted.

32. Department for Communities and Local Government (DCLG) Consultation Paper on the Code of Conduct for Members
(Item 5)

(1) The Committee considered a report from the Head of Democratic Services and Local Leadership, which set out a proposed response to chapter 2 of the consultation paper issued by the Department for Communities and Local Government (DCLG), in relation to proposed changes to the Member Code of Conduct.

(2) It was noted that KCC's response to chapter 3 of the consultation paper, relating to a proposed model code of conduct for employees, was being dealt with by the Director of Personnel and Development.

(3) In relation to the proposed response to Question 2 (definition of criminal offence), it was suggested that police cautions should not be included within the definition of criminal offence, as it was possible for cautions to be applied differently in very similar situations, which could lead to inequality. After a vote, it was agreed that the reference to police cautions in the response to question 2 and 11, be deleted.

(4) RESOLVED that the proposed response to the DCLG Consultation Paper on revisions to the Member Code of Conduct be approved, for submission to and determination by the Selection and Member Services Committee, subject to the deletion of the references to including police cautions in the definition of criminal offence in the responses to questions 2 and 11.

This page is intentionally left blank

By: Miss R MacCrone – Independent Chairman
Peter Sass - Head of Democratic Services and Local Leadership

To: Standards Committee – 27 April 2009

Subject: Kent Audit Review on the locally managed framework for complaints

Summary: To formally receive the final report of Kent Audit on their review of KCC's processes and procedures for the handling of complaints about the conduct of Members.

Unrestricted

Background

1. From time to time, KCC's internal audit team, Kent Audit, reviews the implementation of new and amended pieces of legislation to ensure that the various processes and procedures that support the new powers have been implemented correctly and that there are no significant risks of non-compliance, which could leave the authority open to challenge or external criticism. The Head of Democratic Services and Local Leadership was advised during the final quarter of 2008 that Kent Audit had decided to examine the mechanisms that support the implementation of the locally managed framework for dealing with complaints that a Member has breached the Code of Conduct, following the introduction of these arrangements in May 2008.

2. A planning meeting was held with officers in early January, where the scope and terms of reference for the audit were agreed. Four main risks were identified for examination, as follows:

- (a) KCC may not have formally adopted the Locally Managed Framework under the Member Code of Conduct
- (b) The composition of the Standards Committee may not comply with the guidance issued by the Standards Board for England
- (c) The role of the Standards Committee may not comply with the guidance issued by the Standards Board for England
- (d) Guidance on the local assessment of complaints may not be adopted, publicised and applied.

3. The agreed audit approach involved looking for evidence that the expected systems and processes were operating effectively to reduce the risks identified. This involved interviews with relevant staff and reviewing relevant records. During the evidence gathering phase, the auditors were able to attend a meeting of the Assessment Sub Committee, as observers, to see at first hand how a complaint was sifted.

Audit outcome

4. The final report of the audit team is attached at **Appendix 1**. Members will be pleased to see that the assessed audit assurance is "High" for each of the four main risks identified, giving an overall rating of "High", which is the best possible outcome from the review. In addition, no formal audit recommendations have been made. Both

the Audit Manager, Sangeeta Surana and the Auditor who undertook the review, Hazel Goodwin, have been invited to this meeting to answer any questions that Members may have on the report.

Terms of Reference of the Standards Committee

5. One of the areas commented upon by the auditors is the Terms of Reference of the Standards Committee and the need for appropriate amendments to be made that clearly reflect the role the Committee now has in assessing, reviewing and determining complaints about the Conduct of Members. The Committee's Terms of Reference, which are contained in Appendix 2 of Part 2 of the Constitution (page 31), are as follows:

- (a) Promoting and maintaining high standards of conduct by Members (including any co-opted Members and church and parent governor education representatives)
- (b) Assisting Members through advice and training to observe the Members' Code of Conduct set out in Appendix 6 of the Constitution
- (c) Monitoring the operation of the Members' Code of Conduct and advising the Council on its operation and revision
- (d) Granting dispensations to Members from requirements relating to interests set out in the Members' Code of Conduct
- (e) Seeking to resolve any concerns about a Member's conduct by mutual agreement to reduce the need for a complaint to be referred to the Standards Board for England
- (f) Dealing with any reports from a case tribunal or interim case tribunal of the Standards Board, and any report on a matter which is referred by an Ethical Standards Officer to the Monitoring Officer
- (g) Censuring, suspending or partially suspending a Member or former Member in accordance with the provisions of the Local Government Act 2000

6. It is suggested that in (e) above, the words at the end of the sentence "Standards Board for England" are replaced with the words "Standards Committee" to reflect the fact that all complaints about the conduct of Members are now referred initially to the Standards Committee, even if the Assessment or Review Sub Committee decides to refer the matter upwards to the Standards Board for England. In addition, a new paragraph (f) is suggested, which should read:

"Receiving complaints that a Member has breached the Code of Conduct and deciding whether the matter merits investigation; taking appropriate action as defined in the Standards Committee (England) Regulations 2008; and, reviewing decisions to take no action on a particular complaint if so requested by the complainant"

Paragraphs (f) and (g) then become (g) and (h).

7. If Members agree to the above changes to the Committee's Terms of Reference, the amendments will be referred to the County Council for approval.

Wider publicity

8. Whilst not a formal recommendation of the audit review, the final report suggests that consideration should be given to wider publicity for the local assessment of complaints, in addition to the existing pages on KCC's website. This Committee has previously agreed that appropriate publicity should appear in the "Around Kent" publication and this has been programmed for the first edition after the Elections in June, where photographs and contact details for the new Council will also be included. The Committee is invited to comment on whether other forms of publicity are desirable.

Recommendation:

9. The Committee is invited to:
- (a) Formally receive and comment on the Kent Audit Review of the implementation of the locally managed framework for complaints;
 - (b) Approve the proposed amendments to the Terms of Reference of the Standards Committee contained in paragraph 6 above and recommend the changes to the County Council for approval; and
 - (c) Comment accordingly on the desirability for wider publicity for the work of the Committee and, in particular, the locally managed framework for complaints

Miss R MacCrone – Independent Chairman of the Standards Committee

Peter Sass – Head of Democratic Services and Local Leadership

April 2009

This page is intentionally left blank



Audit Report

Chief Executive's Department

**Subject: Members Code of Conduct - Locally
Managed Framework**

Audit Assurance: High

Date Issued: 10 March 2009

REPORT PREPARATION

Fieldwork undertaken by:

Hazel Goodwin

Auditor

01622 694569

Sara Smithson

Auditor

01622 694668

Report prepared by:

Hazel Goodwin

Auditor

01622 694569

Audit reviewed by:

Sangeeta Surana

Audit Manager

01622 694580

Date Issued:

10 March 2009

The assistance of staff in providing help and hospitality during the audit is gratefully acknowledged.

REPORT DISTRIBUTION

Chief Executive's Department

Chief Executive

Peter Gilroy

Director of Finance

Lynda McMullan

Director of Law and Governance

Geoff Wild

Head of Democratic Services
and Local Leadership

Peter Sass

Standards Committee

KENT AUDIT

Background

The Local Government and Public Involvement in Health Act 2007 was passed by Parliament on 30 October 2007 when it received Royal Assent. The Act includes important amendments to the Local Government Act 2000, including the introduction of a locally managed framework of compliance with the Member Code of Conduct and a new regulatory role for the Standards Board for England. This means that from 5 May 2008, KCC's own Standards Committee is responsible for making initial assessments of misconduct allegations, and most cases will be handled locally.

The Standards Board for England has issued guidance on the role and make-up of the Standards Committee and also issued guidance and toolkits on the Local Assessment of Complaints by the Standards Committee.

Overall Audit Assurance

Based on the findings in this audit, there is **High** assurance that risks, which could prevent achievement of business objectives pertaining to the audited system, are managed effectively.

Risks Examined	Control Assurance			
	High	Substantial	Limited	Minimal
KCC may not have formally adopted the Locally Managed Framework under the Member Code of Conduct.	✓			
The composition of the Standards Committee may not comply with the guidance issued by the Standards Board for England.	✓			
The role of the Standards Committee may not comply with the guidance issued by the Standards Board for England.	✓			
Guidance on Local Assessment of Complaints may not be adopted, publicised and applied.	✓			
Overall Assurance	✓			

KENT AUDIT

No recommendations have been made for this audit.

Definitions of our assurance levels can be found in Appendix 1.

Summary of Findings

Risk 1: KCC may not have formally adopted the Locally Managed Framework under the Code of Conduct for Members.

We confirmed that in their meeting dated 22 May 2008, the Standards Committee resolved to set up and also agreed the Terms of Reference of the Assessment Sub-Committee and the Review Sub Committee as required to discharge the responsibilities required under the Locally Managed Framework.

However we found that the Terms of Reference of the Standards Committee itself have not been updated to reflect the changes brought about by the provisions of the Locally Managed Framework. We have been informed that this will be done in the next update of the Constitution which is due in April / May 2009.

Risk 2: The composition of the Standards Committee may not comply with the guidance issued by the Standards Board for England.

The composition of the Standards Committee was verified and is in accordance with the guidance issued by the Standards Board. We confirmed that the Committee has six members; one from each political party plus three independent members. The Chairman was selected from one of the independent Members.

We also established that the Assessment and Review Sub-Committees have been set up and were appointed to appropriately according to guidance.

Risk 3: The role of the Standards Committee may not comply with the guidance issued by the Standards Board for England.

It was verified that the role undertaken by the Standards Committee is compliant with the guidance relating to the monitoring and assessment of complaints. Within this role, the Monitoring Officer is responsible for making quarterly and annual returns to the Standards Board. We confirmed that these reports had been electronically completed and were accurate and up to date. Since April 2008, there have been five complaints received under the new framework, three have been assessed and completed with “no further action” taken. The other two are ongoing and are being dealt with correctly.

KENT AUDIT

Risk 4: Guidance on Local Assessment of Complaints may not be adopted, publicised and applied.

We established that the guidance on Local Assessment of Complaints and the associated forms from the toolkit issued by the Standards Board for England has been adopted by KCC's Standards Committee.

It was verified that the complaints process has been published on the Authority's website. Details on the website show where complaints should be sent and the process for the complainant to follow. Further details of the Standards Committee and their responsibilities can be accessed via links on KCC's website. We acknowledge that the complaints system has been advertised electronically and in accordance with the guidance for the Local Assessment of Complaints. However, this media is not available to all members of the public and consideration should be given to another form of advertising such as an advert in a local newspaper or a notice placed in a public area such as local libraries.

Finally, as part of our fieldwork we attended a meeting of the Assessment Sub Committee (on 28 January 2009) and were able to confirm that the process followed the guidelines in the Local Assessment of Complaints.

KENT AUDIT

Appendix 1

DEFINITIONS OF AUDIT ASSURANCES

ASSURANCE LEVEL	SUMMARY DESCRIPTION	DETAILED DEFINITION
High	Strong controls in place and complied with.	The system/area under review is not exposed to foreseeable risk, as key controls exist and are applied consistently and effectively.
Substantial	Controls in place but improvements beneficial.	There is some limited exposure to risk of error, loss, fraud, impropriety or damage to reputation, which can be mitigated by achievable measures. Key or compensating controls exist but there may be some inconsistency in application.
Limited	Improvements in controls or the application of controls required.	The area/system is exposed to risks that could lead to failure to achieve the objectives of the area/system under review e.g., error, loss, fraud/impropriety or damage to reputation. This is because, key controls exist but they are not applied, Or there is significant evidence that they are not applied consistently and effectively.
Minimal	Urgent improvements in controls or the application of controls required.	The authority and/or service is exposed to a significant risk that could lead to failure to achieve key authority/service objectives, major loss/error, fraud/impropriety or damage to reputation. This is because key controls do not exist with the absence of at least one critical control, Or there is evidence that there is significant non-compliance with key controls.

This page is intentionally left blank

By: Miss R MacCrone – Independent Chairman
Peter Sass - Head of Democratic Services and Local Leadership

To: Standards Committee – 27 April 2009

Subject: Advice Note 4 – Advice to Members on the application of the Code of Member Conduct to Development Control

Summary: To approve an amended Advice Note 4 for elected Members on the application of the Code of Conduct to Development Control in the light of guidance from the Local Government Association and the Standards Board for England.

Unrestricted

Background

1. At its meeting on 9 March 2005, this Committee considered and approved Advice Note 4 in relation to planning issues, to assist Members to play an active role in the proceedings of the Planning Applications Committee without breaching key aspects of the Code of Conduct. This advice note has now been amended (**Appendix 1**) and is submitted to the Committee for approval.

2. The Local Government Association (LGA), supported by the Standards Board for England, has issued a short but useful guidance note entitled “Positive Engagement – a guide for planning councillors (updated version)”. Separately, the Standards Board for England has also issued an occasional note entitled “Predisposition, Predetermination or Bias, and the Code”. Copies of both of these documents are attached as **Appendices 2 and 3**.

Predisposition versus Predetermination and Bias

3. The amended Advice Note 4 has been prepared with the distinction between predisposition and predetermination in mind. The Standards Board’s Occasional Paper defines both states of mind and explains that an elected Member can vote on a development control matter in the event of having a predisposed view, because this means that this is not a view that he or she has fixed prior to the meeting and they remain open-minded to decide the application on the merits of the evidence given at the meeting itself. Predetermination (coupled with bias), on the other hand, precludes a Member from voting on a planning matter, as this is, or would appear to be, a fixed view, so that nothing said or discussed at the meeting would change their mind.

Draft amendments to the Dual Membership section

4. Currently, the Advice Note states that Members of the Planning Applications Committee should not vote on an application if they have previously done so in another place. The revised proposed guidance and the Occasional Paper are not so prescriptive and, accordingly, it is recommended that this advice is removed.

5. The implications of this amendment are that Members must ensure that the remainder of the Code is followed more strictly in respect of dual membership. Paragraph 11 of the Advice Note sets out that Members of the Planning Applications Committee must be able to demonstrate that they came to the debate with an open mind and had not already formed a predetermined or fixed view.

6. Paragraph 12 of the Advice Note explains what Planning Applications Committee Members should do whenever a future planning application is considered by a District/Borough or Parish/Town Council, KCC Advisory Board or any other body of which they are a Member. In this situation, Members should make a point of declaring that they will consider the matter afresh at the Planning Applications Committee meeting. Those Members may also feel that it is more appropriate to ask that this declaration is minuted, although the Advice Note does not insist upon it.

7. Draft paragraph 13 of the Advice Note advises that Planning Applications Committee Members should declare an interest when the item comes forward to the Committee. In order to be able to participate in the decision-making, Members must be in a position to declare that although they have participated in a previous discussion(s) on this matter, they have not yet reached a final conclusion and are not bound by the views of the Parish/Town, District/Borough Council or Board, etc.

Declarations of Prejudicial Interest

8. The Advice Note recommends that any Member who does not believe that they can safely declare an absence of predetermination should either declare a prejudicial interest and leave the meeting discussion of that item or arrange to be substituted and speak as the Local Member. Any declaration of a prejudicial interest only covers the item in question rather than the entire meeting. It is, therefore, perfectly acceptable to return to the meeting once consideration of that item has concluded.

9. Paragraphs 24-27 of the Advice Note permits those Members of the Planning Applications Committee who wish to speak as the Local Member to resume the role of a Committee Member once that particular item of business has concluded. Local Members who choose to represent the views of their constituents do not *intrinsicly* have a prejudicial interest. They must, however, make a clear declaration of their intention to speak as the Local Member and explain that they will refrain from voting on that item.

Consideration by the Planning Applications Committee

10. The draft Advice Note was discussed at a meeting of the Planning Applications Committee on 17 March 2009 and it was agreed that the Committee endorse the Advice Note. In addition, the Planning Applications Committee has asked the Head of the Planning Applications Group to inform Committee Members of the names of objectors to applications, in order to be able to identify whether they knew them well enough to decide whether to declare an interest.

Recommendation:

11. The Committee is invited to approve the revised Advice Note 4 (Appendix 1) and ask the Head of Democratic Services and Local Leadership to inform all Members accordingly.

Miss R MacCrone – Independent Chairman of the Standards Committee

Peter Sass – Head of Democratic Services and Local Leadership

April 2009

**KENT COUNTY COUNCIL
STANDARDS COMMITTEE**

Advice Note 4

Endorsed by Standards Committee, 9 March 2005

Amended by the Standards Committee on.....

**ADVICE TO MEMBERS ON THE APPLICATION OF
THE CODE OF MEMBER CONDUCT TO DEVELOPMENT CONTROL**

1. This note gives advice to Members who:
 - are members of the Planning Applications Committee
 - sit in on a meeting of the Planning Applications Committee as a substitute Member
2. The provisions of the Code of Member Conduct regarding conduct, the registration and declaration of interests, and the acceptance and registration of gifts and hospitality, apply to the proceedings of the Planning Applications Committee and other discussions in which Members may become involved on planning applications and other development control proposals.
3. The Local Government Association, supported by the Standards Board for England, has issued a short but useful guidance note *Positive engagement - a guide for planning councilors (updated version)*. Separately the Standards Board for England has also issued a more detailed and helpful occasional note *Predisposition, Predetermination or Bias, and the Code*. Copies of these documents are obtainable from Democratic Services.
4. Where this note refers to an application, it applies also to any other decision coming before the Council as a local planning authority that is not the responsibility of the Leader and Cabinet.

Interests

5. If you have a personal interest in an application make sure you declare this at any meeting. It would be prudent also to notify the Monitoring Officer in writing so that the interest can be publicly recorded in the Register of Members' Interests.
6. If the interest is a prejudicial one you should take no part in any discussion on the application, either inside or outside committee meetings. If you are the Local Member, you should arrange for a colleague representing a nearby division to represent your constituents.

Executive and Lead Members

7. If you are a Cabinet Member or a Lead Member (including Chairman of the Schools or Highways Advisory Boards), you should not take part as a voting Member in a debate by the Planning Applications Committee on an application by the Council, e.g. for a highway or school scheme. You may, with the Chairman's consent, speak to other Members outside the Committee meeting or at the meeting itself, but you should always remind the Member(s) of your responsibilities and position so that they and the public are aware of these when considering what you have to say. Take care you are not seen to be attempting to exercise undue influence on the other Member(s) through your position in the Council or party group.

Planning Applications Committee Members

Training

8. Before taking up a position as a voting member of the Planning Applications Committee, you should receive basic training in your duties. This will normally take the form of a discussion of this advice note with an officer nominated by the Monitoring Officer, as well as a discussion with a senior planning officer.

9. Once appointed, you should take part in all training sessions on planning law, policy and practice organised for members of the Committee. If you cannot attend, you should request a personal briefing from the Planning Officer.

Information

10. You should approach all decisions on applications with an open mind and ensure you are as well informed as possible by:

- attending site visits or inspections on applications agreed by the Committee wherever possible
- ensuring you always read the Planning Officer's report thoroughly and come to the meeting prepared to be persuaded to take a different point of view
- not voting if you have not been present to hear the entire debate, including public comments and the Planning Officers' introduction.

Dual Membership

11. You may take part as a voting member in the consideration of an application by the Planning Applications Committee if you also serve on an advisory board, district or a parish council which has been consulted on or is otherwise involved with the application. Dual membership does not of itself create a prejudicial interest that requires you to leave the room. It is, however, necessary for you to be able to demonstrate, if challenged, that you came to the debate with an open mind, without having previously formed a fixed or predetermined view on the issue and that you have considered all the relevant facts and arguments.

12. You should consider carefully what you say at meetings of other boards or councils whether you attend as a member of that board or council or as a KCC Member. You should declare at those meetings that if you come to consider the matter as a voting member of the Planning Applications Committee, you will consider the matter afresh, taking into account all the information and views you will then have before you, including those expressed at these boards or councils' meetings.

13. At the Planning Applications Committee meeting you should declare a personal (but not necessarily prejudicial) interest as a member of the board or parish/district council. You should say if you attended or participated in the board or parish/district council meeting but make it clear that you have not reached a final conclusion, but instead are considering the matter at Planning Applications Committee meeting afresh and not bound by board or parish/district council's views.

14. If you do not feel able to make such a declaration you should regard yourself as having a prejudicial interest. You should declare that interest and leave the meeting before consideration of that item. Alternatively, you may wish to arrange to be substituted at that meeting and speak instead as a Local Member (assuming the matter affects your division). In that case, you must make clear when you speak that you have done this and why.

15. If you are associated with an external body that is the applicant (or a major beneficiary of the proposals, e.g. a school governing body for new school buildings) you should not participate as a voting member but declare that interest. With the Chairman's consent you may still speak on the same basis as a Local Member. If you have voting rights, you should ensure that your abstention is recorded in the minutes.

Lobbying by local residents, consultees and objectors

16. In any discussions with local residents, objectors or consultees you should be careful not to say how you might vote or express any opinion on the merits prior to your formal consideration of the matter at the Committee meeting. Explain to those lobbying or attempting to lobby you that, whilst you can listen to what is said, it prejudices your impartiality to express a firm point of view or an intention to vote one way or another.

17. If you decide to argue vigorously for a particular point of view in relation to an application on behalf of some or all of your constituents, or to become a member of a lobbying group for or against a specific proposal, you should not exercise your rights at the meeting of the Planning Applications Committee to vote or move or second any motion or amendment. You should inform the Chairman of this before the meeting begins and declare that intention at the beginning of the debate on the item.

18. If you are a member of a lobby, campaign or other group or association that is actively expressing a view on the application or other matter before the Committee, you are likely to have a prejudicial interest and should follow the advice in paragraph 14 above. More detailed advice is available in Advice Note 1 on dual-hatting and membership of lobby groups.

Lobbying by Applicants or Developers

19. You should inform the Monitoring Officer in writing if you feel you have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality).

20. You should refer applicants/developers who approach you for planning or procedural advice to officers wherever practicable and report any significant contact to the Planning Officer.

21. You should not take part in any meeting, presentation or site visit organised by applicants or developers unless a Planning Officer is present and can make a written file record of the discussion.

22. At any such presentation or discussion:

- ask relevant questions for the purposes of clarifying your understanding of the proposals
- remember that the presentation is not part of the formal process of debate and decision by the Planning Applications Committee
- be careful not to express any strong view or state how you or other Members might vote.

23. If you decide to inspect the site of an application by yourself make sure you stay on the public highway or public land. If you are spoken to by an employee or representative of the landowner or a local resident, explain who you are and why you are looking at the site but follow the preceding advice about not expressing an opinion.

Local Members

24. In discussion with your constituents or others be careful not to give the impression that the Planning Applications Committee will approve or refuse the application or that it will do anything other than reach a decision in accordance with planning law, policy and good practice.

25. If you are a member of the Committee and also the Local Member, remember that your overriding duty is to the whole community not just to the people in your ward and take account of the need to make decisions impartially. If you do not feel able to do this but want to argue the case for your constituents, do not take part in the debate as a voting member but make it clear that you are abstaining on that issue and why. You may vote on other issues raised in the meeting, or alternatively, you may wish to ask your political group to arrange for a substitute for the entire meeting so you can attend and speak on the specific item as the Local Member.

26. At a meeting where an application will be considered in which you will participate as a Local Member, you should not normally agree to serve as a substitute member.

27. If you sit on the applicant/benefiting body (e.g. a school governing body) but are not a member of the Planning Applications Committee, make sure if you speak to any member of the Committee about the application that they know of your membership and interest. Remember that if you speak at the Committee meeting, you have to declare your interest before speaking.

positive engagement

a guide for planning councillors
updated version



'The engagement of local councillors as leaders and representatives of the community is vital in the delivery of positive outcomes from the planning process.'

positive engagement

a guide for planning councillors

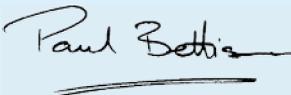
A message from **Iain Wright MP Parliamentary Under Secretary of State, DCLG** and **Paul Bettison, Environment Board Chairman, LGA**.

There have been some considerable changes over the last few years in how the planning process is delivered within England with a move away from an often adversarial, reactive and conflict based system towards a more pro-active, inclusive and creative approach.

As a local councillor involved in planning matters, whether as a ward councillor representing your area's constituents as a councillor responsible for drawing up the spatial plan for your area, or as a councillor responsible for deciding upon application you have a crucial role to play in both making the planning system work and ensuring the best possible outcomes for your community for both now and in the future. The engagement of local councillors as leaders and representatives of the community is vital in the delivery of positive outcomes from the planning process.

However, concerns are sometimes expressed about the compatibility of councillors meeting developers and interest groups and then taking decisions on an impartial basis.

This leaflet is an updated version of the positive engagement for elected members launched in 2005. It is intended to summarise the principles that should be observed to enable you to both participate in and lead the system.'



Paul Bettison



Iain Wright

In broad terms, the success of the planning system will depend on:

- establishing and taking forward a clear spatial vision for the area based on the sustainable community strategy
- effective dialogue between applicants, local authority, local people and other interests to help define and realise the vision
- ensuring that the spatial plan for an area embodies the aspirations of the community
- effective communication and ownership of policy between executive and planning committee
- the planning service being focused on outcomes
- early and effective community engagement in discussions on plans and development proposals, in accordance with the authority's Statement of Community Involvement.
- upholding the ACSeS Model Members Planning Code

As a community leader and local representative you will want to be involved in relevant public meetings, pre-application discussions and policy production. However, this may create some risks for councillors, particularly those who are members of the planning committee, and for the integrity of the decision making process. You should familiarise yourself with guidance found in the LGA guide *Probity in Planning* (update) – the role of councillors and officers, guidance from the Standards Board for England which provides an overview of the Model Code of Conduct which applies to all members and co-opted members of local authorities and the ACSeS Model Members Planning Code. (see the weblinks at the end of this leaflet).

Councillors can involve themselves in discussions with developers, their constituents and others about planning matters. However, difficulties can be avoided if you follow these useful general hints:

do

- ✓ always involve officers and structure discussions with developers
- ✓ inform officers about any approaches made to you and seek advice
- ✓ familiarise yourself with your authority's Code of Conduct and follow it when you are representing your authority
- ✓ keep your register of interests up to date
- ✓ follow your local authority's planning code
- ✓ be aware of what predisposition, predetermination and bias mean in your role – ask your monitoring or planning officer and refer to the Standards Board Occasional Paper on Predetermination, Predisposition and Bias if unsure
- ✓ be prepared to hold discussions with an applicant and your officers before a planning application is made, not just after it has been submitted to your authority
- ✓ preface any discussion with disclaimers; keep a note of meetings and calls; and make clear at the outset that discussions are not binding
- ✓ be aware of what personal and prejudicial interests are – refer to your monitoring officer and the Standards Board's website if you are unsure
- ✓ recognise the distinction between giving advice and engaging in negotiation and when this is appropriate in your role
- ✓ stick to policies included in adopted plans, but also pay heed to any other considerations relevant to planning
- ✓ use meetings to show leadership and vision
- ✓ encourage positive outcomes
- ✓ ask for training from your authority in probity matters
- ✓ recognise that you can lobby and campaign but that this may remove you from the decision making process
- ✓ feed in both your own and your local community's concerns and issues
- ✓ be aware that you can engage in discussions but you must have and be seen to have an open mind at the point of decision making

do not

- ✘ use your position improperly for personal gain or to advantage your friends or close associates
- ✘ meet developers alone or put yourself in a position where you appear to favour a person, company or group – even a ‘friendly’ private discussion with a developer could cause others to mistrust your impartiality
- ✘ attend meetings or be involved in decision-making where you have a prejudicial interest under the Model Code of Conduct – except when speaking when the general public are also allowed to do so
- ✘ accept gifts or hospitality
- ✘ prejudge or be seen to prejudge an issue if you want to be a decision maker on a proposal
- ✘ seek to influence officers or put pressure on them to support a particular course of action in relation to a planning application
- ✘ compromise the impartiality of people who work for your authority
- ✘ invent local guides on probity in planning which are incompatible with current guidance – look for commonly held and common sense parallels in other authorities or the principles set out in national guidance

This simple guide has been produced by a number of organisations who have shared interest in maximising the effectiveness of councillor involvement in planning.

They include: the Local Government Association, Association of Council Secretaries and Solicitors, the Standards Board for England, Planning Advisory Service and The Department of Communities and Local Government and Planning Officers Society.

weblinks

The Association of Council Secretaries and Solicitors

Model Members Planning Code
www.acses.org.uk/documents/category/4

Department of Communities and Local Government

www.communities.gov.uk

Local Government Association

Probity in planning (update): the role of councillors and officers
www.lga.gov.uk/planning

A LGA update to the highly successful original guidance (published in 1997) on preparing a local code of good practice for those dealing with planning matters will be available shortly

National Planning Forum

Pre-application advice for town and country planning:
National Planning Forum good practice note 2 one of a series of 'inspiring planning' good practice notes
www.natplanforum.org.uk/good%20practice.html

Planning Advisory Service

Member development modules
www.pas.gov.uk/membertraining

Planning Officers Society

Members and Planning
www.planningofficers.org.uk/article.cp/articleid/176

The Standards Board for England

Guidance on the Model Code of Conduct, including personal and prejudicial interests
www.standardsboard.gov.uk/TheCodeofConduct/Guidance/

Fact sheets and Frequently Asked Questions
www.standardsboard.gov.uk/TheCodeofConduct/Factsheetsandfrequentlyaskedquestions/

Paper on predisposition, predetermination or bias, and the Code
www.standardsboard.gov.uk/Publications/OccasionalPaper/

IDT 2517

Predisposition, Predetermination or Bias, and the Code

Both predetermination and bias have proved to be difficult and controversial issues for many members and monitoring officers. Although they are judge-made, common law issues, and not part of the Code of Conduct, the Standards Board for England has agreed to publish this occasional paper to help clarify the issues.

Based on advice from leading treasury counsel Philip Sales QC, which can be found on our website, this paper aims to clarify the issues involved and includes examples of where members are predisposed, and so can take part in a debate and vote, and where they are predetermined and their participation in a decision would risk it being ruled as invalid.

Sir Anthony Holland
Chair, the Standards Board
for England

What is predisposition?

It is not a problem for councillors to be predisposed. Predisposition is where a councillor holds a view in favour of or against an issue, for example an application for planning permission, but they have an open mind to the merits of the argument before they make the final decision at the council meeting.

This includes having formed a preliminary view about how they will vote before they attend the meeting, and/or expressing that view publicly. They may even have been elected specifically because of their views on this particular issue.

What is predetermination or bias?

Predetermination or bias can lead to problems. It is where a councillor is closed to the merits of any arguments relating to a particular issue, such as an application for planning permission, and makes a decision on the issue without taking them into account.

Councillors must not even appear to have already decided how they will vote at the meeting, so that nothing will change their mind. This impression can be created in a number of different ways such as quotes given in the press, and what they have said at meetings or written in correspondence.

Rarely will membership of an organisation, such as a national charity, amount to predetermination or bias on its own unless it has a particular vested interest in the outcome of a specific decision that a councillor is involved in making.

Making the decision

There is an important difference between those councillors who are involved in making a decision and those councillors who are seeking to influence it. This is because councillors who are not involved with making a decision are generally free to speak about how they want that decision to go.

When considering whether there is an appearance of predetermination or bias, councillors who are responsible for making the decision should apply the following test: would a fair-minded and informed observer, having considered the facts, decide there is a real possibility that the councillor had predetermined the issue or was biased?

However, when applying this test, they should remember that it is legitimate for a councillor to be predisposed towards a particular outcome on the basis of their support of a general policy. This is as long as they are prepared to be open-minded and consider the arguments and points made about the specific issue under consideration.

How can predetermination or bias arise?

The following are some of the potential situations in which predetermination or bias could arise.

Connection with someone affected by a decision

This sort of bias particularly concerns administrative decision-making, where the authority must take a decision which involves balancing the interests of people with opposing views. It is based on the belief that the decision-making body cannot make an unbiased decision, or a decision which objectively looks impartial, if a councillor serving on it is closely connected with one of the parties involved.

example

a) A district councillor also belongs to a parish council that has complained about the conduct of an officer of the district council. As a result of the complaint the officer has been disciplined. The officer has appealed to a member panel and the councillor seeks to sit on the panel hearing the appeal. The councillor should not participate.

Contrast this with:

b) The complaint about the officer described above is made by the local office of a national charity of which the councillor is an **ordinary** member and has no involvement with the local office. The councillor should be able to participate in this situation **because the matter is not concerned with the promotion of the interests of the charity.**

Improper involvement of someone with an interest in the outcome

This sort of bias involves someone who has, or appears to have, inappropriate influence in the decision being made by someone else. It is inappropriate because they have a vested interest in the decision.

example

A local authority receives an application to modify the Definitive Map of public rights of way. A panel of members is given delegated authority to make the statutory Order. They have a private meeting with local representatives of a footpath organisation and other interest groups before deciding whether the Order should be made. However, they do not give the same opportunity to people with opposing interests.

Prior involvement

This sort of bias arises because someone is being asked to make a decision about an issue which they have previously been involved with. This may be a problem if the second decision is a formal appeal from the first decision, so that someone is hearing an appeal from their own decision. However, if it is just a case of the person in question being required to reconsider a matter in the light of new evidence or representations, it is unlikely to be unlawful for them to participate.

example

A councillor of a local highway authority who is also a member of a parish council that has been consulted about a road closure could take part in the discussion at both councils. The important thing is that the councillor must be prepared to reconsider the matter at county level in the light of the information and evidence presented there.

Commenting before a decision is made

Once a lobby group or advisory body has commented on a matter or application, it is likely that a councillor involved with that body will still be able to take part in making a decision about it. However, if the councillor has made comments which suggest that they have already made up their mind, they may not take part in the decision. If the councillor is merely seeking to lobby the meeting at which the decision is taking place, they are not prevented by the principles of predetermination or bias from doing so. There is no particular reason why the fact that councillors can do this, in the same way as the public, should lead to successful legal challenges.

example 1

A council appoints a barrister to hold a public inquiry into an application to register a village green. The barrister produces a report where he recommends that the application is rejected. A councillor attends a meeting in one of the affected wards and says publicly: "speaking for myself I am inclined to go along with the barrister's recommendation". He later participates in the council's decision to accept the barrister's recommendation. At the meeting the supporters of the application are given an opportunity to argue that the recommendation should not be accepted.

This is unlikely to give rise to a successful claim of predetermination or bias. The statement made by the councillor only suggests a predisposition to follow the recommendation of the barrister's report, and not that he has closed his mind to all possibilities. The subsequent conduct of the meeting, where supporters of the application could try and persuade councillors to disagree with the recommendation, would confirm this.

example 2

A developer has entered into negotiations to acquire some surplus local authority land for an incinerator. Planning permission for the incinerator has already been granted. Following local elections there is a change in the composition and political control of the council. After pressure from new members who have campaigned against the incinerator and a full debate, the council's executive decides to end the negotiations. This is on the grounds that the land is needed for housing and employment uses.

The council's decision is unlikely to be found to be biased, so long as the eventual decision was taken on proper grounds and after a full consideration of all the relevant issues.

Conclusion

Councillors are entitled to have and express their own views, as long as they are prepared to reconsider their position in the light of all the evidence and arguments. They must not give the impression that their mind is closed.

For more information on the issue of predetermination or bias, councillors should talk to their monitoring officers or their political group.

The Standards Board for England
Fourth Floor
Griffin House
40 Lever Street
Manchester M1 1BB

Enquiries line: 0845 078 8181
Minicom: 0161 817 5449
enquiries@standardsboard.gov.uk

www.standardsboard.gov.uk



Confidence in local democracy

By: Miss R MacCrone – Independent Chairman
Peter Sass - Head of Democratic Services and Local Leadership

To: Standards Committee – 27 April 2009

Subject: Update on Member Development

Summary: To update the Standards Committee on the proposals for Member Induction and Development.

Unrestricted

Background

1. At its meeting on 25 November 2008, this Committee considered and noted a joint report from officers on the various pieces of work being progressed on the role of the elected Member and Member Induction and Development. This Committee noted that the primary focus of the work centred around the forthcoming County Council Elections in June 2009, with the most significant aspect from this Committee's perspective being the training for new and returning Members on the Code of Conduct and Ethical Standards.

Progress made since the last meeting

2. Since the last meeting, significant progress has been made on the overall induction and development programme, post June. The Selection and Member Services Committee has received reports to each of its meetings in January and March (attached at **Appendices 1 and 2**), detailing the progress being made on:

- (a) KCC's achievement of the Member Development Charter
- (b) the Member Development Policy
- (c) the various outcomes from the Informal Member Group on Member Information and the Select Committee on Accessing Democracy
- (d) the Improvement and Development Agency's Councillors Declaration; and
- (e) the Induction and Development programme for Members post June 2009

3. Excellent progress is being made to ensure that the Council's induction and development programme is of the highest quality and that KCC achieves the South East Employers' Member Development Charter later this year. The Democratic Services Manager (Council, Governance and Appeals), Mrs Cooper, is moving to a new role in May to support Members through the County Council Election period. She will be working closely with the Learning and Development Manager, Ms Coral Ingleton, to ensure that the comprehensive and innovative programme of Member Induction and Development is delivered. The draft Induction and Development programme, appended to the March Selection and Member Services Committee report, is being refined and improved as various issues become more certain.

Ethical Standards Training

4. One of the key features of the Induction and Development programme is the proposed training on the role of the Standards Committee and ethical standards. Plans are currently in place to run three duplicate sessions in the weeks following the Elections. The Chairman of this Committee has been consulted on the format for these

important training sessions and it has been suggested that they should be as interactive as possible, involving a small element of a formal presentation, but with more emphasis on scenario-based learning, including a DVD, possibly some role play, and a question and answer session. It is hoped that all Members of the Standards Committee will attend the sessions, to help explain their roles in raising ethical standards across the authority. Members are also invited to put forward their own ideas and thoughts for these sessions for both new and returning Members to KCC.

Recommendation:

5. The Committee is invited to endorse and comment upon the proposals for Ethical Standards training as part of KCC's Induction and Development Programme.

Miss R MacCrone – Independent Chairman of the Standards Committee

Peter Sass – Head of Democratic Services and Local Leadership

April 2009

Background Papers

Report to the Standards Committee – 25 November 2008

Appendix 1

By: Alex King, Deputy Leader
Peter Sass, Head of Democratic Services and Local Leadership

To: Selection and Members Services Committee - 23 January 2009

Subject: Member Development Charter and Member Development

Classification: Unrestricted

Summary: This report provides the Selection and Member Services Committee with an update on the County Councils application for the Member Development Charter, Inductions and a Member Development Programme.

Introduction

Member Development Policy

1. (1) At its meeting on 11 December 2008 the County Council received a report from the three leaders inviting the County Council to approve a Member Development policy for incorporation in the County Council's Constitution. This was agreed by the County Council.

Member Development Charter

(2) The three Leaders signed a commitment to the South East Employers Member Development Charter in September 2007 with an intention that the status of the Charter be achieved by April 2009, in time for the newly elected County Council in June 2009. Following concerns expressed by Dr Eddy, Leader of the Labour Group and other Members at the December County Council meeting, I have reflected on the aspiration to achieve this Charter status for the County Council in April this year. I have met with Dr Eddy and Mrs Dean and have concluded that it would be sensible for the County Council's application and self-assessment for Member Development Charter status to be delayed until after the elections in June 2009.

Improvement and Development Agency (I&DeA) – Giving Councillors the tools for the job: The Support councillors' Declaration

2. (1) The I&DeA has recently written to all Councils inviting them to commit to ten statements which make up a declaration-setting out the standard of support for Councillors to perform their role as a Councillor. The ten statements are set out in Appendix 1 to this report.

(2) The I&DeA are promoting the Councillors' declaration and have identified that it is vital to the success of local democracy that prospective Councillors are aware of the high standard of support that they can expect from the Councillor and its officers.

(3) The White Paper "Communities in Control: Real People Real Power" places considerable emphasis on the importance of the role of councillors as community leaders and need to properly support them in their important public service.

(4) The I&DeA view is that if Councils properly support their Councillors they will find that they get:-

- A better understanding of the needs of their local communities;
- Greater public involvement in local initiatives;
- Greater interest in the role of the Council.

Other County Council Workstreams

(5) The County Council had before it in December 2008 a package of initiatives which impact on the role of elected Members eg the outcomes and recommendations of:-

- the Select Committee: Accessing Democracy;
- the IMG report on Member Information; and
- the emerging agenda of the County Council in response to 'localism'.

(6) If the Selection and Members Services Committee are so minded it may wish to invite the Informal Member Group: Member Development to look at the ten statements in the declaration for supporting councillors in conjunction with the supporting councillors' framework produced by the I&DeA with a view to reporting back to this Committee in March and inviting the County Council at its April meeting to support this declaration.

Member Induction and Member Development

Member Development

3. (1) The IMG: Member Development asked that a programme of Member Development and training be prepared to reflect the outcomes of the survey conducted by the political groups in the summer of 2007.

(2) Since the last meeting of this Committee a number of events have been arranged but the support of Members has been mixed. The IMG: Member Development might therefore wish to reflect on the evaluation forms completed by attendees so that the programme can be adjusted accordingly.

(3) The programme of development/training events for elected Members is to be published to all Members of the County Council and included in the County Council diary. This information will also be made available on KNET.

(4) Appendix 2 sets out a programme of opportunities for Member Development and training which reflects the outcomes of the political groups survey. The Committee's specific attention is drawn to that part of this programme immediately after the election and before the County Council on 25 June 2009 such as the "Standards Committee: The Role of Members and the Ethical Framework" and the procedural rules for council and committee meetings.

(5) The Democratic Services and Local Leadership Unit are also proposing to host an open day on 23 June 2009 for all Members of the County Council to provide the opportunity to meet the staff within the Unit. There will be a range of stands for Members to view including:-

- Modern.gov – the electronic system for the production of agenda, reports, minutes and retrieval;
- how the work and outcomes of the IMG Member Information approved by the County Council on 11 December have been taken forward including demonstrating best practice of other authorities, such as North East Connects, Westminster City Council, the London Borough of Redbridge
- understanding the work of the Standards Committee,
- how Members become involved in Overview and Scrutiny,
- understanding the Select Committee and the research roles, and
- understanding the various localism models. This will promote another opportunity to invite other local authorities to demonstrate how they are tackling the localism agenda.

It is intended to that the event will be light-hearted fun, interactive but deliver and assist Members in becoming familiar with the services they can expect from the Democratic Services and Local Leadership Unit.

Recording of Events

(6) The IMG: Member Development and this Committee have both indicated that all Member Development events should be recorded so that if a Member is unable to attend a learning and development opportunity they can look at a DVD or listen to the audio of the event in their time to suit their lifestyle. Work developing on how this might be achieved within the resources available is being explored and the IMG: Member Development and this Committee will be kept informed of progress.

Member Induction

(7) The IMG: Member Development are keen that the induction programme following the County Council election should look very different than it has following previous elections. Attached as Appendix 3 to this report is the proposed Members' Induction and Development Framework.

(8) There will be a need for the IMG Member Development to meet soon so that advice can be given to directorates about what other events Members may feel be required which is not currently included in the programme.

(9) Work is also being undertaken to provide:-

- (a) a fact sheet which will contain the immediate contact details of key people across each Member's Electoral Division which will be a useful document for each Member immediately upon election (see an early prototype at Appendix 4)
- (b) an early survival guide; and
- (c) the Member's handbook.

Learning and Development Resource Library

(10) A Resource Library of learning and development tools which includes CDs, DVDs, books etc., available from the Learning and Development Team is being assembled. Appendix 5 sets out what is currently in this library.

Recommendations:-

4. The Committee are asked to:

- (a) note that the County Council's self assessment and application for Member Development Charter status will be delayed until after the County Council election in June;
- (b) commission the IMG: Member Development to look at the ten statements and supporting Councillors' framework with a view to making a recommendation to this Committee in March and then asking the County Council to agree the declaration at its April meeting; and
- (c) note the continuing work on the development of a programme of events for Members of the Council, the induction programme following the elections and the documentation that elected Members will receive immediately upon their election.

Paul Wickenden
Overview Scrutiny & Localism Manager
01622 694486

Coral Ingleton
Learning & Development Manager
01622 694375

Giving councillors the tools for the job: the supporting councillors declaration

This council undertakes to	What this involves (See The Supporting Councillors Framework for more detail)
1 Assist existing and prospective councillors so they are aware of what is expected of them.	Councils may choose to develop their own role descriptions or to adapt/adopt existing ones. Role descriptions can also be used to identify the personal development needs, including those of experienced councillors taking up new roles.
2 Provide all councillors with administrative support to meet their individual needs, including the provision of adequate support staff to meet councillors' scrutiny, information and research needs.	<p>This will include, for example:</p> <ul style="list-style-type: none"> • correspondence, post and communications • diary management and room bookings for meetings • arranging and publicising ward surgeries • arrangements for site visits for local ward issues • research support. <p>While larger authorities may be able to provide dedicated support staff, other councils may need to have nominated contacts.</p>
3 Ensure that all councillors are kept advised on how decisions are made and the opportunities open to them to influence these decisions.	<p>There will be clear processes for:</p> <ul style="list-style-type: none"> • accessing support and for making information requests • feeding cases and local issues into the council and for logging and tracking these • reports for councillors appointed to outside bodies • accessing support and for feeding back reports for councillors appointed to outside bodies.
4 Be aware of how much information we send to councillors.	There will be protocols regarding sending information to, and consulting with, councillors on issues relevant to their wards. This will help to ensure councillors receive the information they need.
5 Provide space for councillors to hold ward surgeries, meetings with constituents and to discuss council business.	Councils may provide appropriate meeting space within council offices or provide help to find and book suitable accommodation within the ward (eg at a community centre).
6 Identify the 'democracy' budget; current expenditure that funds councillor support and development, supports scrutiny research and consultation, etc. Consider delegated budgets for improvements within the ward.	<p>Guidance to the Local Government Act 2000 specifies that dedicated support and a discrete budget should be available for those in a scrutiny role ('New council constitutions: guidance to English Authorities', paras. 3.54-3.46)</p> <p>If councillors have delegated budgets then appropriate support needs to be provided to enable them to manage these effectively and record them accurately.</p>

Giving councillors the tools for the job:
the supporting councillors declaration

This council undertakes to	What this involves (see The Supporting Councillors Framework for more detail)
----------------------------	----------------------------------------------------------------------------------

7 Ensure that all support is appropriate for individual councillors and that there is clarity of what support and development opportunities are available.	<p>This may require the council to have a menu of support arrangements in place (including, for example, child care) that can be 'activated' as the need arises.</p> <p>The Member Development Charter award provides an external challenge to show that the council is supporting and developing its councillors.</p>
8 Ensure that all councillors have stationery and office equipment available to them both at home and when on the council's premises, to provide access to appropriate ICT and help councillors to use such technology to improve efficiency and communication.	<p>Councils need to provide stationery, filing cabinets for use at home, access to copying and printing, and computer equipment.</p> <p>How this is provided will vary between councils and according to the individual needs of councillors and could be delivered by providing the facilities or grants/allowances for use of their own.</p>
9 Conduct interviews with councillors who are standing down/retiring/resigning.	<p>Councils need to identify whether:</p> <ul style="list-style-type: none"> • the reasons for standing down are linked to the level of support provided • the council could have done more, or done things differently, to support the councillor.
10 Identify the personal development needs of councillors, provide a member development programme.	<p>Councils can use the IDeA Political Skills Framework Toolkit which identifies the range of skills councillors need and includes guidance and examples of how it can be used to help develop personal development plans (PDPs).</p>

As a demonstration of commitment we also would encourage councils to sign up to the Member Development Charter. All regions have their own Member Development Charter, most jointly badged with the IDeA. All hold a common set of principles covering member support and development and the incorporation of these standards. Councils are awarded the Charter following an external assessment process led by the relevant Regional Employer.

Introduction

This document sets out a programme of training for the elected members based on their requirements and in conjunction with the I&DeA skill framework for elected members. The skill framework areas are:

- Community Leadership (CL)
- Regulating and Monitoring (RM)
- Scrutiny and Challenge (SC)
- Communication Skills (CS)
- Working Partnership (WP)
- Political Understanding (PU)
- Providing Vision (PV)
- Managing Performance (MP)
- Excellence in Leadership (EL)

To this end a schedule of training will be established to encompass the skill sets above using new and innovative methods of delivery.

Implementation of this programme will begin with an assessment of Emotional Intelligence. This will take the form of a web-based questionnaire and followed by individual feedback. This information will help identify the members Emotional Quotient levels and provide an analysis of their preferred methods of working.

Development Objectives:

- To ensure that members have a broad understanding of the I&DeA skill framework
- Members to complete a self-skills analysis in relation to the skill framework
- Members to complete an EQI Assessment to identify preferred learning methods and ways of working
- To agree a development plan which sets out strategies for fulfilling development areas
- To assess the effectiveness of training programmes followed/delivered

Contents

I&DeA Members Key Qualities	9
Business Writing Skills	11
Effective Reading Techniques	11
Speed Reading	11
The Voice of Influence	12
Computer Skills – Using the Internet and Email	13
Email Logic	13
Communicating with the Media	14
Time Management	15
Local Government Law	15
Diversity and Equalities Briefing	16
Modern Member	16

Diversity In The Workplace – E-Learning Module.....17
Chairing Skills.....18



I&DeA Members Key Qualities

Community Leadership (CL)	Regulating and Monitoring (RM)
Engages enthusiastically and empathetically with the community in order to learn, understand and act upon issues of local concern. Mediates fairly and constructively, encouraging trust by representing all sections of the community.	Understands and executes judicial role by the following protocol, evaluating arguments and making decisions that balance public needs and local policy. Ensures progress by monitoring and intervening where necessary.
Scrutiny and Challenge (SC)	Communication Skills (CS)
Acts as a critical friend by seeking opportunities for scrutiny and providing constructive feedback. Analyses information quickly and presents arguments in a concise, meaningful and easily accessible way.	Listens sensitively, uses appropriate language and checks for understanding. Communicates regularly with individuals and groups in the community, speaks clearly and confidently in public, and makes sure that people are informed.
Working in Partnership (WP)	Political Understanding (PU)
Builds positive relationships by making others feel valued, trusted and included and by working collaboratively to achieve goals. Maintains calm and focused, recognises when to delegate or provide support and is able to take long-term view in developing partnerships.	Acts ethically, consistently and with integrity when communicating values or representing group views in decisions and actions. Works across group boundaries without compromising values or ethics.
Providing Vision (PV)	Managing Performance (MP)
Creates a shared council vision by establishing strategic policies and prioritising actions. Actively encourages involvement of others in policy formation and works collaboratively to analyse information and promote understanding. Open to new ideas and ways of doing things.	Works closely with others to develop, promote and achieve objective and represent council at a strategic level. Encourages scrutiny, monitors performance and responds positively to feedback and ideas.
Excellence in Leadership (EL)	
Provides visionary and charismatic leadership, is well prepared, able to troubleshoot and juggle conflicting responsibilities. Works to shape a culture of excellence by acting as the public face of the council and a role model for others. Encourages co-operation and communication across political and council boundaries	



Business Writing Skills

Skills Framework Mapping: CS

Introduction

Writing reports or documents is an essential part of most people's jobs, and developing your skills will enable you to communicate your message more effectively.

This course is intended to help develop those who will be required to write a variety of reports.

Objectives

By the end of the course you will be able to

- Demonstrate improved confidence in putting a report together
- Explain how to produce concise and readable reports/documents more quickly and effectively
- Demonstrate that the message you communicate is the one you intended

Course Content

- Learn and practice the basic concept of report writing
- Understand the seven C's of business writing
- Appreciate the benefits of Plain English
- Target communication for maximum impact

Duration 1 day

Effective Reading Techniques

Skills Framework Mapping: CS, RM, MP

We can provide members with a document produced by a university advising of effective reading techniques.

AND/OR

Speed Reading



Introduction

This workshop has been designed to challenge and change the reading habits of the attendees

Objectives

To learn and practice techniques to improve the speed of reading over a range of materials.

This will include:

- Challenging reading barriers
- Revisiting childhood reading
- Improving attitude, skills and knowledge

- Understanding eye and brain co-ordination
- Recording information with Mind Maps
- Practising the 'Power Overview'
- Considering applications, environment and process
- Setting goals, prioritising and time management
- Integrating the speed reading process into the usual
- Working environment.

The Voice of Influence

Skills Framework Mapping: CS, CL, PU, EL

Introduction

Presenting is an important activity and there are numerous courses to help people present better. But many people learn the skills and still can't perform well, through lack of self-belief or because nerves get the better of them on the day. This course goes beyond the basics of presentation to what is needed to communicate confidently in a very real way with people.

The truth is that each one of us possesses within everything that is necessary to become a powerful public speaker. It's largely a matter of removing the obstacles to full expression, and enabling ourselves to use our voice and connect in a direct and real way with our audience. Subject knowledge, good preparation and technical skills are all important. But good presentation skills go much further than the actual presentation or speech. The skills needed for excellent public speaking are similar to those that enable you to connect successfully in all your interactions. They are about how you present yourself to the world, how you compel attention, how you use your voice. If you can communicate with impact, you can inspire others to follow your lead and ultimately move mountains.

Objectives

Present with confidence; control your state to be at your best; speak powerfully and authentically; project your voice and hold attention; learn the art of spontaneity; engage and inspire an audience; influence others with your vision

Course Content

- Benchmarking excellence
- Purpose and Structure
- State Management Strategies
- Presence and Authenticity
- How to connect with the audience
- How to be quick on your feet with questions and interruptions
- Voice : How to be heard
- Voice : How to engage and maintain interest
- Bringing things alive

You will have plenty of opportunity to develop abilities through exercises and practice in a supportive group setting.

Duration 1 Day

Computer Skills – Using the Internet and Email

Skills Framework Mapping: CS

Introduction

The effective use of IT systems is essential for today's business environment with many organisations relying on the internet and email to communicate with the public and other organisations.

Bespoke Course

Learning and Development can develop a course to meet members training needs. Members would complete an online diagnostic assessment to identify training needs and we would develop a course taking these needs into consideration together with the Members aspirations relating to the use of the Internet and Email.

AND/OR

Email Logic

Introduction

Email, messaging and texting are all fantastic, but...

- Have you ever felt out of control or stressed by emails?
- Do you get copied in on emails you don't need?
- Do you compulsively check your email first thing every morning?

So imagine *all* your emails were useful; they were *all* easy to understand and simple to prioritise. How would it be to have a "lean" inbox where it is obvious what needs to be done with each message?

Solve these problems:

- unclear messages
- "passing the buck" by email
- emails that are hard to prioritise
- stress
- people not talking
- too much time lost
- useful messages lost in the junk

Duration

60 minutes

Communicating with the Media

Skills Framework Mapping: CS, SC, CL, EL, PU

Introduction

The media is an exceptionally powerful tool for promoting a company's reputation. This one day intensive training session is aimed to equip key spokespeople with the ability to maximise the opportunities and minimise the risks of dealing with television, radio and the press.

Structure

The course will be tailored to Kent County Council's specific requirements and can include the following modules.

- How to handle press interviews
- Television recorded or "as live" interview skills
- "Live link" interviews
- Television studio "one to ones"
- Creating colourful and effective sound-bites
- Communication in a crisis
- Radio interviews and phone-ins

Key Learning Outcomes

Delegates will learn to face the media with confidence, gain positive news coverage and maximise media opportunities. All delegates will be filmed using professional broadcast equipment and will receive detailed feedback and an edited highlights DVD of their performance.

Duration

1 day

Time Management

Skills Framework Mapping: CS

Introduction

Time is one of the most valuable commodities we have in KCC and each and every one of us can benefit from becoming better at time management. Attending this programme can help you release up to 25% of your working day to focus on more productive activity, all done without a 'dump and run' approach to delegation.

Objectives

- To agree a plan to release more time in your working day for 'what matters most'.
- Identify key timewasters and have developed a plan to implement changes.
- Recognise the importance of planning and review and identify how to carry these out.

Course Content

- Consider a wide range of time management and personal organisation strategies so that you can pick those that work best for you.
- Conduct a 'personal makeover' on your role to release more time in your daily life.
- Question ineffective or inefficient practices so that you can find better alternatives to the status quo.

Duration

½ Day

Local Government Law

Skills Framework Mapping: PU,

Stuart Ballard in Democratic Services has been contacted and they will be happy to undertake this part of the training programme. They will however, need to know further details i.e. the depth of training required and the length of course.

Diversity and Equalities Briefing **Skills Framework Mapping: CS, PU, WP, EL**

Introduction

This will be a bespoke course developed for Kent County Council's members.

Course Content

Course objectives and detailed content will be made available once the course is commissioned. The content will consist of the following:

- Mainstreaming Diversity and Equalities
- Consistency of approach across directorates
- Community Leadership Role
- Behaviours/Language
- Bullying and Harassment
- Equality Strategy
- Legislative Requirements
- Audit Inspections

Modern Member

E-Learning courses from Learning Pool

Skills Framework Mapping: CL, RM, SC, CS, WP, PU, PV, MP, EL

Introduction

Modern Councillor is a new service from Learning Pool designed to help local authority councillors develop their skills through e-learning.

Whether you're a newly elected councillor or an established member seeking to increase your knowledge so that you can be a better community leader, Modern Councillor has something for you.

Learners will be able to study at their own convenience; they can dip in and out of courses as required and revisit courses to refresh themselves, as necessary

Available Courses

- Your role as a councillor
- Code of conduct
- Introduction to Local Government
- Community Leadership
- Information Technology for Councils
- Partnership Working
- Working with the Media
- Scrutiny Skills
- Public Speaking
- Licensing and Regulation
- Charing Meetings

- Negotiating and Influencing
- Risk Management
- Financial Skills
- Using Mobile Technology
- Data Protection and Freedom of Information

All of these courses are available online and last for about 30 minutes.

Diversity In The Workplace – E-Learning Module

Introduction

An innovative solution from Learning & Development using the on line tool at your desk or via a laptop with internet access. The course Diversity in the Workplace has been produced especially for staff as an introduction to Diversity & Equalities.

Objectives

By completing the module you can expect to :

- Become more familiar with Equalities Legislation
- Gain an understanding of the broader issues within diversity and equalities
- Know your responsibilities and rights as an employee

Contents

The programme covers :

- Legislation
- Sexual Discrimination
- Sexual Orientation
- Race
- Disability
- Religion or Belief
- Age
- Harassment & Bullying
- Stereotyping & Prejudice
- Consequences
- Your role as a member of staff

You will receive a password to the system and on going telephone / email support from the System Administrator.

Duration

1 hour with a multi choice test

Chairing Skills

Skills Framework Mapping: CS, EL

Aim

To enable Councillors to consider all aspects of the Chairman's role and encourage them to devise practical ways of developing their performance in this area.

Sample Programme

Content will be tailored to meet your specific needs.

- The role of the Chairman in different meetings
- Preparing effectively for a meeting
- Using a range of skills including listening, summarising skills and facilitation
- Taking control of a meeting and managing time
- Developing a range of techniques for dealing with different meeting participants
- Learning points and action plan

"I think your session received the most praise I have ever known our members to give a training session"

Jane Burke, Buckinghamshire County Council

Duration

½ Day

Members Development/Training Opportunities Calendar

Subject	Location	Date	Duration
Transport Appeal Training	Maidstone	Tues 3/02/2009	
Transport Appeal Training	Maidstone	Mon 23/02/2009	
Transport Appeal Training	Maidstone	Wed 25/02/2009	
Participatory Budgeting Workshop		Wed 25/02/2009	(PM)
Time Management	Maidstone	Thu 05/03/2009	½ Day (PM)
Participatory Budgeting Workshop		Thurs 5/03/2009	(PM)
Participatory Budgeting Workshop		Thurs 12/03/2009	(PM)
Business Writing Skills	Maidstone	Wed 18/03/2009	½ Day (PM)
Participatory Budgeting Workshop		Thurs 23/04/2009	(PM)
KCC Road Trip		Tues 9/06/2009	
KCC Road Trip		Wed 10/06/2009	
Standards Committee: The Role of Members and the Ethical Framework (two sessions)		Fri 12/06/2009	9:30 – 12:30 1:30 – 4:30
KCC Road Trip	Various	Mon 15/06/2009	
KCC Road Trip		Tue 16/06/2009	

learning & development

Standards Committee: The Role of Members and the Ethical Framework (two sessions)		Wed 17/06/2009	9:30 – 12:30 1:30 – 4:30
Procedural Roles for Council and Committee Meetings (two sessions)		Thurs 18/06/2009	9:30 – 12:30 1:30 – 4:30
Procedural Roles for Council and Committee Meetings (two sessions)		Fri 19/06/2009	9:30 – 12:30 1:30 – 4:30
Proposed Democratic Services and Local Leadership Open Day for all Members of the County Council		Tues 23/06/2009	
KCC Road Trip		Fri 26/06/2009	
Chairmanship Skills		Wed 1/07/2009	(PM)
Scrutiny and Questioning techniques		Thurs 2/07/2009	(AM)
Webinars x 4	At any computer	Thu 02/07/2009	1 day
Participatory Budgeting Workshop		Tues 21/07/2009	(PM)
Standards Committee: The Role of Members and the Ethical Framework (two sessions)		Fri 24/07/2009	9:30 – 12:30 1:30 – 4:30

learning & development

Local Government Law	Maidstone	Thu 06/08/2009	1 day
Webinars x4	At any computer	Mon 10/08/2009	1 day
Business Writing/Time Management	Maidstone	Wed 12/08/2009	1 day
Diversity and Equalities	Maidstone	Wed 19/08/2009	1 day
Local Government Law	Maidstone	Fri 21/08/2009	1 day
Effective Reading Techniques	Maidstone	Mon 24/08/2009	1 day
Voice of Influence	Maidstone	Wed 26/08/2009	1 day
Diversity and Equalities	Maidstone	Mon 09/09/2009	1 day
Media Training	Maidstone	Mon 07/09/2009	1 day
Chairmanship Skills		Wed 9/09/2009	(PM)
Scrutiny and Questioning techniques		Fri 11/09/2009	(PM)
Scrutiny and Questioning techniques		Tues 15/09/2009	(PM)
Time Management/Business Writing	Maidstone	Thu 01/10/2009	1 day
Effective Reading Techniques	Maidstone	Tue 13/10/2009	1 day
Voice of Influence	Maidstone	Thu 22/10/2009	1 day
Media Training	Maidstone	Wed 18/11/2009	1 day





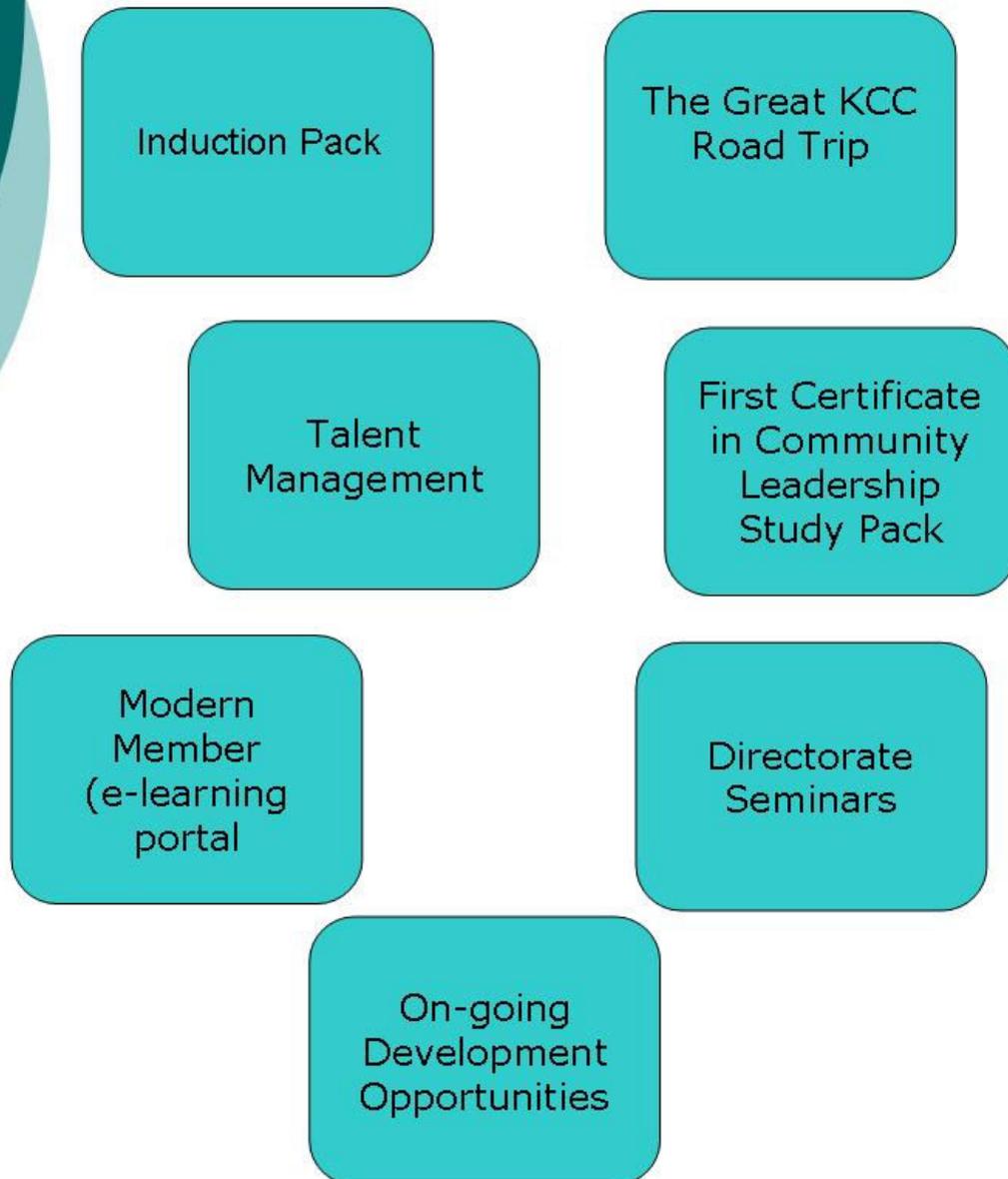
Members' Induction and Development Framework

Maintain your Winning
Edge!

learning & development



Induction and Development Framework



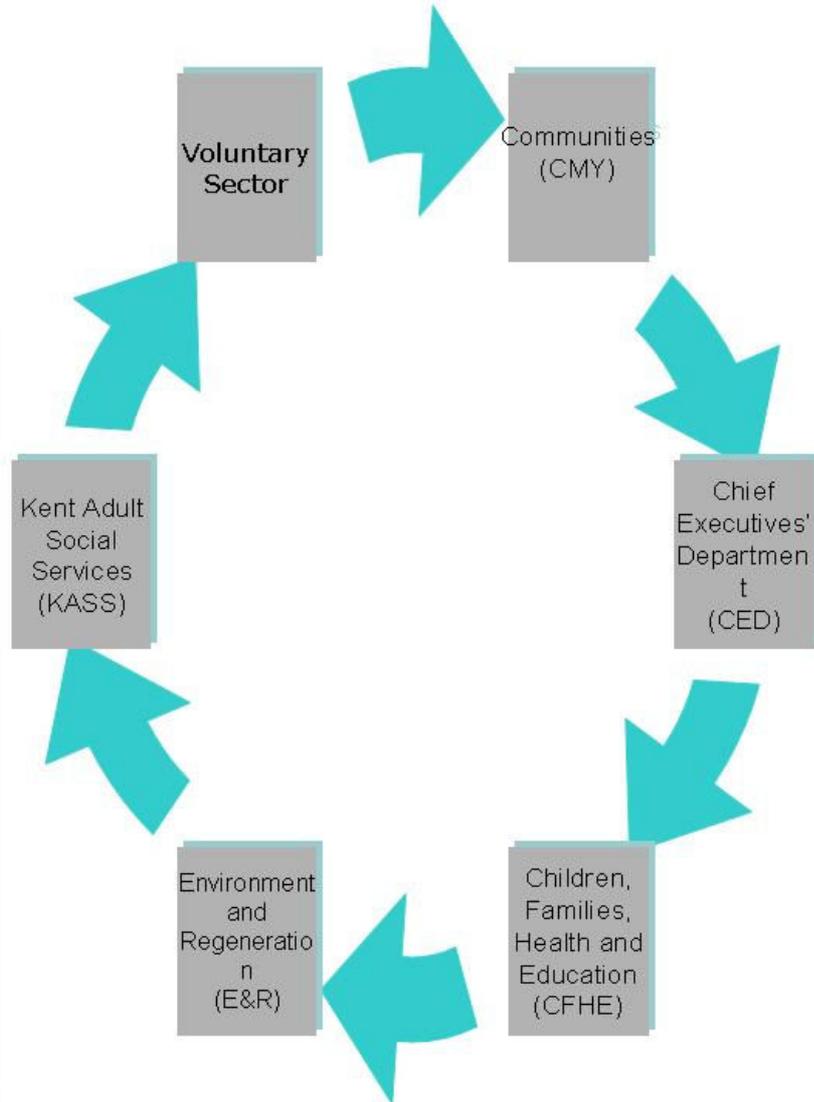


Induction Pack

- Written document including:
 - What's next?
 - Where to get help
 - Top Tips
 - Building Relationships
 - How does the council work?
 - Structure, Services and Contacts
 - Our Partners
 - How decisions are made
 - Who makes decisions
 - What happens at meetings
 - Your responsibilities
 - Code of Conduct
 - Equality and Diversity
 - Confidentiality
 - What support will I get?
 - Personal development and training
 - Equipment and Services
- 

The Great KCC Road Trip

A chance for new and re-elected Members to see KCC's frontline services for each directorate up close





KCC Road Trip - Itinerary

○ E&R

- Highways Depot (Ashford)
- Allington Waste Management Facility
- Shorne Woods County Park
- Eastern Quarry Observatory
- Ebbsfleet Station
- Northfleet Station
- Swanscombe peninsular
- Ingress Park
- Crossways Business Park

○ CMY

- Turner Contemporary
 - Margate Gateway
 - The Cube (Adult Ed)
 - A Youth Centre
 - A visit with Community Warden
 - Beaney Library
 - Accompany Trading Standards Officer
 - Visit to Kent Youth County Council
 - Visit to Bewl Water (Youth Service facility)
- 



KCC Road Trip - Itinerary

- CED
 - Commercial Services
 - Legal and Democratic
 - KASS
 - Westview
 - Margate Gateway
 - Broadmeadow
 - Age Concern
 - Folkestone Day Opportunity Centre
 - Dorothy Lucy Centre
 - Southfields Respite
 - Crawford Centre
 - Better Homes: Active Lives Sites
- 



KCC Road Trip - Itinerary

- CFE
 - Children's Centres
 - Folkestone Academy
 - Marlowe Academy
 - Respite Centres
 - Appledore Centre
 - 6 Bells (Family Support)
 - The Willows
 - Vocational Centres
 - Voluntary Sector
- 



Talent Management

- Providing Members with opportunities to accelerate their development via:
 - Shadowing
 - Coaching and Mentoring
 - Personal Development Programme



Modern Member

- Use of an e-learning tool containing bite-size 30 minute modules. The topics include:
 - Your role as a Member
 - Intro to local government
 - Code of Conduct
 - Community Leadership
 - Working with the media
 - IT for local government
 - Overview and Scrutiny
 - Public Speaking
 - Licensing and Regulation
 - Chairing Meetings
 - Risk Management
 - Equality and Diversity
 - Crime and Disorder for Councillors
- 



Directorate Seminars/Webinars

- Up to 1 hour overview of key issues and projects relating to each of the directorates
- These seminars will be delivered both in person and as webinar sessions at your desk



Seminar/Webinar – Topics by Directorate

- E&R
 - Directorate Challenges
 - E&R's budget
 - CMY
 - Key Projects (Turner, Kent History Project)
 - Community Safety Policy
 - Kent School Games
 - Olympics Preparations
 - Cultural Strategy
 - Youth Service
 - Emergency Planning
 - KDAAT
 - Youth Offending
- 

Seminar/Webinar – Topics by Directorate

- CED
 - Overview of Commercial Services
 - Operation/Income Generation
 - Legal Services
 - Gateway Strategy
 - Kent TV
 - Climate Change
 - Kent Film Office
 - Leadership Programme
 - Office Transformation
- KASS
 - Active Lives
 - Care and Support – Funding and Sustainability
 - What makes a good day?
 - East/West Kent Overview
 - Mental Health Overview
 - Supporting People
 - Gypsy and Travellers
 - Sensory Services
 - Assistive Technology
 - Building Community Capacity



Seminar/Webinar – Topics by Directorate

- CFE
 - Early Years Quality and Funding
 - Primary Attainment
 - 14-19 Developments and Diplomas
 - CFE Budget
 - Children's Services Partnerships
 - The Impact of Poverty on Children and Families
 - Building Schools of the Future
 - Schools' ICT
 - Kent Children's Trust
 - Health for Children and Young People
- 



IT Training – Power Hour

- In addition to the training outlined in the next section. Members can access Power Hour training.
 - These 1 hour sessions will focus on IT programmes relevant to the individual at will delivered at their desk
- 



Continuous development:

- Psychometric Testing
- Personal Development Review
- Self Assessment tool that maps into the I&DeA skill framework for Members
- A range of training events and resource materials have been identified that map into the I&DeA skill framework for elected Members. The skill framework areas are:
 - Community Leadership (CL)
 - Regulating and Monitoring (RM)
 - Scrutiny and Challenge (SC)
 - Communication Skills (CS)
 - Working Partnership (WP)
 - Political Understanding (PU)
 - Providing Vision (PV)
 - Managing Performance (MP)
 - Excellence in Leadership (EL)



Maidstone Rural North

1. Environment and Regeneration:

Community Operations Service Group:

If there are any queries or requests of KHS from the public, parish and local councils, KHS has set up a dedicated unit. The phone number for any member of the public to ring in is **08458 247 800**.

For Maidstone district a members query would be directed the Community Liaison Officer, Louise Codman on **01622 798310**

Strategic Planning: Executive officer to the managing director: Alison StClair Baker **01622 221926**

Waste: Head- Caroline Arnold **01622 605990**

Service delivery and future operations: Peter Horn **01622 605996** mob. **07860 524297**

Waste Liaison Officer, Alex Foreman **01622 605988**

2. Community Safety:

County manager, Community Safety: Stuart Beaumont **01622 694878**

Kent Community Wardens:

Tonbridge and Malling and Maidstone Area Supervisor: Martin Smith **07969 584173**

Bearsted: Dawn Riach-Brown **07813 712105**

Neighbourhood Policing:

Maidstone Urban Policing team: Inspector Adam Jones, **01622 604391**

Maidstone Rural Policing team: Inspector Ian Sandwell **01622 604392**

Trading Standards: Sue Edmunds **01622 221001**

Public enquiries, use: **08458 247247**

3. Children, Family and Education:

Youth and Community:

Head: Nigel Baker, Invicta House 3rd Floor Tel. 01622 696569

Area Youth Officer: Angela Ford, Mid Kent Area Education Office, Bishops Terrace, Bishops Way, Maidstone ME14 1AF Tel. 01622 605159

Education:

Area Children's Services Officer: Chris Jones **01233 898560**

Local Children's Services Officer: Maidstone 1 Julie Stones **01732 525113**
Maidstone 2 Hilary MacDonald **01622**

605114

Head of Children's services, Mid Kent: Cathy Yates **01233 652150**

Head of operations, Unaccompanied Asylum seeking children:

Karen Goodman **01622 605258**

4. Kent Adult Social Services:

Maidstone District manager: Chris Cogdell **01892 515045**

5. Kent Fire and Rescue:

01622 682121

6. Kent Messenger contact:

Bearsted: Martin Hider, **01622 736327**
Boxley: Alison Dickerson **01622 762334**
Bredhurst: Pam Merryweather **01634 366370**

7. Maidstone Borough Council:

Contact number: 01622 602000 website www.maidstone.gov.uk
LSP: Jim Boot, Community Planning Co-ordinator, Maidstone Borough Council & Local Strategic Partnership (LSP). Maidstone House, King Street, Maidstone ME15 6JQ T: 01622 602246 M: 07818 411597
Director, Economic Development: Brian Morgan **01622 602000**
Economic Development Officer: John Foster **01622 602000**

8. Parish Council Clerks:

Boxley:
Pauline Bowdery, Parish Office, Beechen Hall, Wildfell Close, Walderslade, ME5 9RU **01634 861237**
Chairman: Martin Pepper

Bredhurst:
Melanie Fooks, Camellia, Dunn Street, Bredhurst, ME7 3NB **01634 370830**
Chair: Vanessa Jones

Bearsted:
Mr. C.E Palferman, Madginford Hall, Egremont Road, Bearsted, ME15 8LH **01622 630165**
Chairman: Mr. P. Walton

9. Third sector:

Community Support Centre:
39-48 Marsham Street Maidstone ME14 1HH **01622 690369**

Citizens Advice Bureau:
2 Bower Terrace, Tonbridge Road, Maidstone ME16 8RY **01622 752420**

Voluntary Action Maidstone:
39-48 Marsham Street Maidstone ME14 1HH **01622 690369**

Member Learning Resource Library

Resource Name	Type	Source	I&DeA Framework Mapping
Understanding Scrutiny	Audio CD and Booklet	Calderdale Council	Scrutiny and Challenge
Improving your Scrutiny Skills	Audio CD and Booklet	Calderdale Council	Scrutiny and Challenge
How to be an Effective Chair of Scrutiny	Audio CD and Booklet	Calderdale Council	Scrutiny and Challenge, Communication Skills
Take the Chair	Audio CD	Calderdale Council	Communication Skills, Excellence in Leadership
Radio Skills	Audio CD and Booklet	Calderdale Council	Communication Skills, Community Leadership
Breaking Bad News	Audio CD and Booklet	Calderdale Council	Communication Skills, Community Leadership
Skills of Chairing Meetings	Audio CD	SEE	Communication Skills, Excellence in Leadership
Speed Reading for Success	Audio CD		Communication Skills
A Practical Approach to Local Government Law	Book		Political Understanding
Eat that Frog! (Time Management)	Book		
Time for Time	Audio CD		



This page is intentionally left blank

Appendix 2

By: Alex King, Deputy Leader
Peter Sass, Head of Democratic Services and Local Leadership
Amanda Beer, Director of Personnel & Development
David Cockburn, Executive Director, Strategy, Economic Development & ICT

To: Selection and Members Services Committee – 13 March 2009

Subject: Informal Member Group (IMG's): Member Development and Member Information – Progress Report

Classification: Unrestricted

Introduction

1. This report sets out progress on:-
 - (a) Developing a programme of induction following the County Council elections in June;
 - (b) Continuing work on the County Council's bid to achieve the South East Employers Member Development Charter; and
 - (c) Implementation of the IMG: Member Information recommendations approved by the County Council on 11 December 2008

IMG: Member Information

2. (1) The IMG Members, Mrs Dean, Mr Davies and Mr Parker reconvened with officers from across the authority on 28 January 2009. Officers were invited to volunteer to take ownership and to identify a lead for each of the recommendations.

(2) Attached as appendix 1 to this report is a copy of the recommendations and an indication of the lead officers for each of the recommendations.

(3) Arrangements have been made for the management Board to meet later on this month. The Management Board comprises Mrs Dean, Mr Parker, Mr Davies, Paul Wickenden (representing the Head of Democratic Services and Local Leadership). Dr Peter Welsh, Head of Analysis and Information (Project Manager) and Christel Pobgee, Information Services Manager.

(4) Mr King, together with Mrs Dean, Mr Parker and Mr Davies will be meeting again on the afternoon of 13 March 2009 to assess the progress made in taking forward the implementation of the IMG recommendations.

(5) The intention is to have as many of the recommendations implemented prior to the County Council election in June 2009. To achieve this, we propose that delegated authority is given to the Dr Peter Welsh, Project Manager, Head of Democratic Services and Local Leadership (or his nominee) in consultation with Mr King (or his nominee), Mrs Dean, Mr Parker, Mr Davies to implement the

recommendations of the IMG and to report back to this Committee on a periodic basis.

IMG: Member Development

Induction and Member Development Programme

3. (1) Mary Cooper is moving into a new role to support Members through the County Council election period. Mary will be working with Coral Ingleton, Learning and Development Manager together with colleagues in the directorates to pull together an innovative induction programme. In addition to the 4 days of Great Road trips which are being organised in conjunction with the Directorates to show Members the “jewels in the crown” and challenges for each of the Directorates a General Induction day has also been added to the programme on 9 June 2009.

(2) Attached as Appendix 2 is the draft proposed Member Development and Training programme. This is by no means comprehensive at this stage – but it does indicate for the Committee the ongoing commitment to Member Development and Training. The programme reflects a number of events which have been arranged to reflect the views of Members following the survey conducted by the three political groups in the summer of 2007.

(3) The programme is by no means exhaustive and more events will be added. These already include some bespoke training for Members who will serve on the Committee for Planning Applications, training for all Members on Corporate Parenting, a range of events for health and social care in particular for those Members who will serve on the Scrutiny committee for this area of activity, and the interface with the voluntary sector.

(4) In accordance with the instructions of the IMG a number of events are being organised for the days immediately following the election until the annual meeting of the County Council on 25 June 2009 to give every Member the opportunity to attend sessions around procedural rules for meetings of the County Council, Chairmanship skills, the etiquette of webcasting, questioning techniques, being aware of the role of the Standards Committee and other key topics relevant to the role of a County Councillor.

IMG: Member Development

(5) At its meeting on 24 February the IMG considered:-

Recording of events

(6) Officers are exploring how the recording of events can best be achieved. Whilst events can be webcast and built into the contract for this service to be effective the recording needs to be of TV quality and interactive. This will lead to a competitive tender being prepared.

Member Mentors

(7) The Committee’s views are sought on the suggestion that some of the Members who are not seeking re-election might consider for the first few weeks of

the new Council acting as a mentor to some of the new members. This has proved to be very worthwhile in other Authorities.

Member Development Charter

(8) The Committee agreed at its last meeting to delay further work on its bid for the South East Employers Members Development Charter until after the elections.

(9) A complementary tool to the Charter is the Improvement and Development Agency's (IDeA) declaration providing elected Members with the support to deliver the Member role. The IMG looked at this declaration of giving support to elected Members and have made a number of observations which are being explored with the three political groups.

(10) The work of the IMG is not completed on this declaration and therefore the Head of Democratic Services and Local Leadership is seeking the delegated authority to finish this piece of work in consultation with the IMG Member Development to enable a report to be submitted to the April meeting of the County Council.

RECOMMENDATIONS

4. The Committee is asked to note the report and agree to delegate authority to:-
 - (a) Dr Peter Welsh, Project Manager and the Head of Democratic Services to implement the decisions of the IMG Member information in consultation with Mr A J King, Mrs T Dean, Mr J Davies and Mr R Parker; and
 - (b) the Head of Democratic Services and Local Leadership in consultation with the IMG Member Development to prepare a report to enable the County Council to support the IDeA's declaration.

Paul Wickenden
Overview, Scrutiny & Localism Manager

This page is intentionally left blank

RECOMMENDATION:	DISCUSSION/MINUTE OF THE MEETING	ACTION AGREED	LEAD OFFICER/ GROUP TO ACTION
<p>R1. A Head of Information Management (IM) be appointed reporting to the Chief Executive. Prime duties of this post holder would be to ensure that information is managed as a corporate resource, that officers work as a coordinated network, and that Information Point (IP) staff and Members receive in a timely and user friendly manner the information to which they are entitled in law and which they require to carry out their jobs.</p>	<p>Head of Information appointment required enable the work on some of the recommendations to begin,</p>	<p>The Chief Executive to appoint the Head of IM, which it is recognised may not be a new post.</p>	<p>Peter Gilroy</p>
<p>R2. It is recommended that to address the complex nature of Member Information, a collaborative Management Board for the Information Point be set up - comprising a Member from each political party, the Head of Democratic Services & Local Leadership and a library manager.</p>	<p>The IMG Members agreed to be involved in the Board, John Davies will need to stand down in summer, and Alex King will appoint John's replacement, who is welcome to join the Board at any point.</p>	<p>Organise inaugural meeting of the Management Board.</p>	<p>Paul Wickenden</p>
<p>Staff within the Information Point should ideally be dedicated posts and the unit be positioned as a corporate resource. A Service Level Agreement should therefore be put in place between the Chief Executive and the Libraries Service to ensure continuity of existing training, library resources and tolls (i.e. use of the public library catalogue and all library databases and subscriptions), currently used, can be accessed by the Information Point staff.</p>	<p>Management Board membership: John Davies, Trudy Dean, Ray Parker, Paul Wickenden, Peter Welsh, Christel Pobgee</p>		
<p>R3. An urgent audit of staff engaged in Information Management across the authority be carried out, and duplication of processes and output be eliminated.</p>	<p>Head of Information is guardian of information. Information must be seen as a corporate resource not just for the select few.</p>	<p>Head of IM to project manage urgent audit</p>	<p>Peter Welsh, assisted by Edward Thomas, Carol Patrick and Christel Pobgee</p>
<p>R4. Time released by eliminating duplication is invested in increased analysis, archiving and proactive reporting of information to assist Members.</p>	<p>This recommendation is tied to R.3. IMG found too much gathering and not enough using. Information is disjointed and needs to be better packaged.</p>	<p>Action: As R.3</p>	<p>Peter Welsh, assisted by Edward Thomas</p> <p>Analysis: Debra Exall with Peter Welsh</p>

	<p>Assumption made by IMG by removing duplication provides officer time for proactive work. Need to be clear freeing officer time is not the same as freeing up skills.</p> <p>KCC needs a good knowledge management system – KCC's is not fit for purpose as primarily a content management system. There is currently an information gathering exercise re: KCC websites / design and raised implication of additional budget implications.</p> <p>Kent View will have built into the design Members base – discussions continue next week.</p>		<p>Archiving: Christel Pobgee</p> <p>Proactive reporting of information: Christel Pobgee/ Directorate, Cabinet and Leaders Staff Officers</p> <p>Peter Welsh</p>
<p>R5. Members' induction should encompass the rights of Members to information, and the services available at the Information Point in depth, and interviews with each Member arranged to determine their needs, with the option for Members to review their needs at least every six months.</p>	<p>Discussion on the inconstancy of some Members and officers knowledge, <u>all</u> Members are entitled to all KCC information. Members are aware of issues of sensitivities i.e. commercially sensitive information, but this should not preclude provision of information as there is evidence it is used to withhold information Members have a legal right to.</p>	<p>Members Right to Information and their responsibilities regarding the use of information must be embedded in Members Induction and training manuals</p>	<p>Peter Sass, assisted by Coral Ingleton & Christel Pobgee</p>
	<p>Agreed recommendations 12 & 13 were linked and would be worked on as part of R.5 i.e. linkage to R.12 needs a constant message.</p>	<p>Information Point plan to pilot interviews with current Members.</p>	<p>Christel Pobgee, assisted by Peter Sass (or Democratic Services nominee)</p>
	<p>Member Interviews – jointly via Information Point and Personnel (Training). Planned interviews will be offered after member Induction, as in theory all Members will be on the same level, and at 6 monthly intervals.</p>	<p>Members to be part of the training provided to Officers on provision of information to and the role of Members</p>	<p>Coral Ingleton</p>
	<p>All Officers to be trained with regard to providing information to Members and the role of Members.</p>		

<p>R6. A Local Member Notification Protocol to be developed, and electronic alerts introduced to systems, indicating when Members need to be consulted and informed and by whom, with current contact details.</p>	<p>Protocol in providing information to local members i.e. events in their patch does exist but is not universally applied. Should be a stage of event arrangements, that it cannot proceed unless the local Member(s) have been notified appropriately. Peter Gilroy has stated events will be cancelled if there is not the appropriate timely notification to Members. Needs to be a tick box on Event database re: notification of Members.</p>	<p>Set up electronic alerts and system so staff reminded of protocol and receive alert to notify.</p>	<p>Peter Welsh assisted by Peter Sass, Carol Patrick, Jane Clarke & Tracey Gleeson</p>
<p>R7. A Members' Focus Group be set up to produce a list of information members require continuously 'on tap' on their Members' database</p>	<p>A selection of Members had initial brainstorm session to produce a list of information Members require 'on tap'. Details are in appendices of IMG report.</p>	<p>Head of IM to set up Focus Group with Members to work on the 'on tap' database and Information Portal</p>	<p>Peter Welsh assisted by Peter Sass, Carol Patrick & Tracey Gleeson</p>
<p>An Information Protocol is prepared which sets out contact details for named individuals within the Directorates who are responsible for providing and updating this information, and sets out how their work fits in with the work of the Information Point</p>	<p>Need a descriptive directory of contacts, as often titles are meaningless. Currently information is owned by individuals, should be owned by the Authority. These ties in with the Knet revamp which will offer a long-term solution, but need a quick fix solution for post elections in June. This links with R.3. Audit as will need officer commitment to keep undated and accurate.</p>	<p>Members to consult their political Groups to nominate for Members' Focus Group</p>	<p>Trudy Dean, John Davies & Ray Parker Edward Thomas</p>
<p>R8. An electronic Members' 'portal' or dashboard be developed to give easy access to the information requested in R7. The portal should be trialled by the Members' Focus Group to ensure it meets Members' needs.</p>	<p>Discussed with terms of R.7</p>	<p>Develop electronic Members' 'portal' or dashboard be to give easy access to the information</p>	<p>Peter Sass assisted by Peter Welsh, Carol Patrick, Jane Clarke & Member's Focus Group</p>
<p>R9. Where researchers work is heavily relied on in published reports, they should be named on the publication to recognise their work.</p>	<p>Flagged a shoddy attitude to referencing information used within pieces of work.</p>	<p>Publication of reports Referencing</p>	<p>Peter Sass Peter Welsh</p>
<p>R10. We believe a system such as we describe would be of value to colleagues in other Kent authorities and that a subscription service should be marketed.</p>	<p>KCC has tried to initiate subscription services with partners – key issue has always been the funding. Kent Partnership has an information sharing protocol re crime, duty to do so. Key issue, not the funding but sensitivity of information/</p>	<p>Work will be incremental and best fit initially Leader/CEO to raise at meetings at joint CEO & Leaders meetings. Member Reps to raise at meetings with Police</p>	<p>Peter Welsh assisted by Christel Pobgee Paul Carter & Peter Gilroy</p>

	power base.	and Fire.	
R11. Consideration should be given to enabling details of KCC (and partner) establishments to be entered onto Tom Tom or a similar guidance system.	BlackBerry capable of providing information from services.	To be actioned and advise Members re: BlackBerry	Carol Patrick assisted by Ollie Jackson
R12. Member training should include [soft] research skills, and the use of electronic tools to enhance their effectiveness and information exchange with residents.	see R.5		Peter Sass assisted by Christel Pobgee & Coral Ingleton
R13. All Member training sessions be recorded, put on the portal, and marketed.	See R.5 Have to crack this one, approached Kent TV too expensive. Virtual presenter may be a way forward.	Members training sessions to be recorded, loaded onto Members Portal and marketed.	Peter Sass assisted by Christel Pobgee & Coral Ingleton
R14. KNet be improved, with easier navigation, an improved search engine, and regular updating of information.	KCC intranet and website revamp has been approved and funded	Keep Group updated on progress	Peter Welsh, assisted by Tracey Gleeson & Carol Patrick
R15. The Kent Partnership Board be encouraged as a matter of urgency to progress work on sharing of information and use of compatible systems to facilitate this	Kent Partnership has an information sharing protocol re crime, duty to do so. Key issue, not the funding but sensitivity of information / power base.		Peter Welsh assisted by Carol Patrick & Christel Pobgee
R16. This IMG or a successor body be charged with driving through the actions agreed from this report, and that quarterly reports on progress are presented to the Selection and Member Services Committee	This Group of Members and Officers is the successor body. Report expected at the Selection & Members Services Committee 30.03.09. This Group to meet 2-weeks prior to the Committee meeting to update on progress.	Lib Dem Office to arrange meeting	Jude Sage
	NB: Wrong date given of the next Selection and Members Services Committee meeting.	Selection and Members Services Committee meeting maybe rearranged or additional meeting agreed.	Paul Wickenden

DRAFT
Members Induction and Training Programme

Subject	Location	Date	Duration
Time Management	Maidstone	Thurs 05/03/09	½ day (pm)
Business Writing Skills	Maidstone	Wed 18/03/2009	½ day (pm)
Participatory Budgeting Workshop		Thurs 23/04/2009	(pm)
General Induction Day		Tues 09/06/2009	
KCC Road Trip		Wed 10/06/2009	
Overview & Scrutiny Induction		Thurs 11/06/2009	½ day (pm)
Standards Committee: The Role of the Members and the Ethical Framework (two sessions)		Fri 12/06/2009	9.30 – 12.30 1.30 – 4.30
KCC Road Trip	Various	Mon 15/06/2009	
KCC Road Trip		Tues 16/06/2009	
Democratic Services and Local Leadership “Showcase”		Wed 17/06/2009	
Procedural Rules for Council and Committee Meetings (two sessions)		Thurs 18/06/2009	9:30-12:30 1:30-4:30
Procedural Rules for Council and Committee Meetings (two sessions)		Fri 19/06/2009	9:30-12:30 1:30-4:30
KCC Road Trip		Tues 23/06/2009	
KCC Road Trip		Fri 23/06/2009	
Planning Applications Committee		Mon 29/06/2009	
Health Overview and Scrutiny Committee		Tues 30/06/2009	(pm)
Chairmanship Skills		Wed 01/07/2009	(pm)
Scrutiny and Questioning Techniques		Thurs 02/07/2009	(am)
Webinars x 4	At any computer	Thurs 02/07/2009	1 day

Localism Team Induction		Mon 06/07/2009	(pm)
Standards Committee: The Role of Members and the Ethical Framework		Mon 20/07/2009	(pm)
Participatory Budgeting Workshop		Tues 21/07/2009	(pm)
Standards Committee: The Role of Members and the Ethical Framework (two sessions)		Fri 24/07/2009	9.30 – 12.30 1.30 – 4.30
Local Government Law	Maidstone	Thurs 06/08/2009	1 day
Webinars x 4	At any computer	Mon 10/08/2009	1 day
Business Writing/Time Management	Maidstone	Wed 12/08/2009	1 day
Diversity and Equalities	Maidstone	Wed 19/08/2009	1 day
Local Government Law	Maidstone	Fri 21/08/2009	1 day
Effective Reading Techniques	Maidstone	Mon 24/08/2009	1 day
Voice of Influence	Maidstone	Wed 26/08/2009	1 day
Diversity and Equalities	Maidstone	Mon 07/09/2009	1 day
Media Training	Maidstone	Wed 09/09/2009	1 day
Chairmanship Skills		Wed 09/09/2009	(pm)
Scrutiny and Questioning Techniques		Fri 11/09/2009	(pm)
Scrutiny and Questioning Techniques		Tues 15/09/2009	(pm)
Time Management/Business Writing	Maidstone	Thurs 01/09/2009	1 day
Effective Reading Techniques	Maidstone	Tues 13/09/2009	1 day
Voice of Influence	Maidstone	Thurs 22/10/2009	1 day
Media Training	Maidstone	Wed 18/11/2009	1 day

By: Miss R MacCrone – Independent Chairman
Peter Sass - Head of Democratic Services and Local Leadership

To: Standards Committee – 27 April 2009

Subject: Monitoring report on complaints

Summary: To formally note the current position with regard to the receipt and consideration of complaints about KCC Members and the action taken by the Assessment and Review Sub Committees.

Unrestricted

Background

1. At the last meeting of the Standards Committee on 25 November 2008, it was agreed that a report would be submitted to each meeting of the Standards Committee, giving the relevant details of the current stage of any complaints that had been considered by the Assessment or Review Sub Committee, anonymised as appropriate. Accordingly, attached at **Appendix 1** is a schedule detailing this information.

Assessment Criteria

2. It is good practice, from time to time, for the Standards Committee to consider and review the criteria used to assess complaints, and this is attached at **Appendix 2**. Members are asked if they would like to change the criteria in any way, by the addition, deletion or amendment of assessment criteria. Once agreed, the revised criteria will be published on the existing web pages that inform the public how to complain about the conduct of Members.

Recommendation:

3. The Committee is invited to:
- (a) Formally note the current position with regard to the receipt and consideration of complaints (Appendix A); and
 - (b) Consider the existing Assessment Criteria (Appendix B) and agree any amendments.

Miss R MacCrone – Independent Chairman of the Standards Committee
Peter Sass – Head of Democratic Services and Local Leadership
April 2009

Complaints received by the Standards Committee – May 2008 to April 2009

Reference	Complainant	Subject Member	Assessment outcome	Review outcome	Comments
KCC/01/2008	Member of the public	Mr C	No action	Not requested	None
KCC/02/2008	Member of the public	Mr C	No action	Not requested	None
KCC/03/2008	A local head teacher	Mr T	No action	Not requested	None
KCC/04/2008	A borough Councillor	Mr M	No action	Refer to Monitoring Officer: Member to issue apology to complainant (Ref: KCC/06/2009)	None
KCC/05/2009	A Borough Councillor	Mr M	Refer to Monitoring Officer for conciliation	N/A	Complainant refused to take part in conciliation
KCC/07/2009	Member of the public	Mr C and Mr K	No action	Pending	N/A
KCC/08/2009	Member of the public	Mr W	Pending	N/A	N/A
KCC/09/2009	Member of the public	Mr H	Pending	N/A	N/A

Assessment Criteria

Introduction

The Standards Committee or Assessment Sub Committee needs to develop criteria against which it assesses new complaints and decides what action, if any, to take. The Standards Board advises that these criteria should reflect local circumstances and priorities and be simple, clear and open. They should ensure fairness for the complainant and the subject Member.

In drawing up assessment criteria, Standards Committees should bear in mind the importance of ensuring that complainants are confident that complaints about Member conduct are taken seriously and dealt with appropriately. They should also consider that deciding to investigate a complaint or to take other action will cost public money and the officers' time and members' time. This is an important consideration where the matter is relatively minor.

Authorities need to take into account the public benefit in investigating complaints which are less serious, politically motivated, malicious or vexatious. Assessment criteria should be adopted which take this into account so that authorities can be seen to be treating all complaints in a fair and balanced way.

Accordingly, the Assessment Sub Committee agreed to use the following initial questions and assessment criteria at its first meeting in June 2008 and also agreed to vary the order of some of the questions at its meeting in November. It is good practice to consider and amend the criteria as appropriate in the light of experience.

Initial questions

1. Is the complaint about one or more Members of the Authority covered by the Standards Committee?
2. Was the named Member in office at the time of the alleged Conduct?
3. Had the named Member signed the Declaration of Acceptance of Office, agreeing to abide by the Code of Conduct?
4. Was the Code of Conduct in force at the time of the alleged conduct?
5. Would the complaint, if proven, be a breach of the Code of Conduct?

If the complaint fails one or more of these initial tests, it cannot be investigated as a breach of the Code and the complainant should be informed that no further action will be taken in respect of the complaint.

Assessment Criteria

1. Does the complaint relate to dissatisfaction with a Council decision, rather than the conduct of a particular Member?
2. Does the complaint concern acts carried out in a Member's private life, when they are not carrying out the work of the authority or have not misused their position as a Member?

3. Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct?
4. Similarly, has the complaint been the subject of an investigation by other regulatory authorities?
5. Is the complaint about something that happened such a long time ago that there would be little benefit in taking action now?
6. Is the complaint too trivial to warrant further action?
7. Does the complaint appear to be simply malicious, politically motivated or tit-for-tat?
8. Is the complaint, part of a continuing pattern of less serious conduct by a Member that is unreasonably disrupting the business of Kent County Council and there is no other avenue left to deal with it, short of an investigation?
9. Has the complainant submitted enough information to satisfy the Assessment Sub Committee that the complaint should be referred for investigation or other action?

Note: If a matter is referred for investigation or other action, it does not mean that the Sub Committee assessing the complaint has made up its mind about the allegation. It simply means that the Sub Committee believes that the alleged misconduct, if proven, may amount to a failure to comply with the Code and that some action should be taken in response to the complaint.

Peter Sass
Head of Democratic Services and Local Leadership
November 2008

By: Miss R MacCrone – Independent Chairman
Peter Sass - Head of Democratic Services and Local Leadership

To: Standards Committee – 27 April 2009

Subject: Declarations of Interest – standard form for Committee agendas

Summary: To consider the adoption of a system whereby a standard form is appended to every Council, Cabinet and Committee agenda for the purposes of guiding and assisting Members with the declaration of personal and prejudicial interests.

Unrestricted

Background

1. A number of Councils include detailed information on all of their Committee agendas about Members' responsibilities to declare personal and prejudicial interests at meetings. A good example is the standard advice note that Thanet District Council use (**Appendix 1**), which contains helpful advice to guide Members make the correct decisions with regard to their interests. The advice note also includes a simple form for Members to complete, which can then be detached from the agenda papers and handed to the Committee Clerk for retention and public inspection, as appropriate.

2. It is considered to be good practice to introduce a similar system at KCC and, subject to the Committee's views, will be introduced for the new Municipal Year. The Deputy Leader of the Council has been consulted about the proposal and supports its introduction.

Recommendation:

3. The Committee is invited to agree to the introduction of a standard form on all Council, Cabinet and Committee agendas for the declaration of interests by Members, as per the example attached at Appendix 1.

Miss R MacCrone – Independent Chairman of the Standards Committee
Peter Sass – Head of Democratic Services and Local Leadership
April 2009

This page is intentionally left blank

THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a personal interest?

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- a) An interest you must **register**.
- b) An interest that is not on your register, but where the well-being or financial position or you, members of your family (spouse; partner; parents; in laws; step/children; nieces and nephews), or people with whom you have a close association (friends; colleagues; business associates and social contacts that can be friendly and unfriendly) is likely to be affected by the business of your authority more than it would affect the majority of:
 - Inhabitants of the ward or electoral division affected by the decision (in the case of the authorities with electoral divisions or wards.)
 - Inhabitants of the authority's area (in all other cases)

These two categories of personal interests are explained in this section. If you declare a personal interest you can remain in the meeting, speak and vote on the matter, unless your personal interest is also a prejudicial interest.

Effect of having a personal interest in a matter

You must declare that you have a personal interest, **and the nature of that interest**, before the matter is discussed or as soon as it becomes apparent to you except in limited circumstances. Even if your interest is on the register of interests, you must declare it in the meetings where matters relating to that interest are discussed, unless an exemption applies.

When an exemption may be applied

An exemption applies where your interest arises solely from your Membership of, or position of control or management on:

1. Any other body to which you were appointed or nominated by the authority.
2. Any other body exercising functions of a public nature (e.g. another local authority)

Is my personal interest also a prejudicial interest?

Your personal interest will also be a **prejudicial interest** in a matter if all of the following conditions are met:

- a) The matter does not fall within one of the **exempt categories** of decisions
- b) The matter affects **your financial interests** or relates to a **licensing or regulatory matter**.
- c) A member of public, who knows the relevant facts, would **reasonably think your personal interest is so significant** that it is likely to prejudice your judgement of the public interest.

What action do I take if I have a prejudicial interest?

- a) If you have a **prejudicial interest** in a matter being discussed at a meeting, you must declare that you have a prejudicial interest as the nature of that interest becomes apparent to you.
- b) You should then leave the room, **unless members of the public are allowed to make representations, give evidence or answer questions about the matter**, by statutory right or otherwise. If that is case, you can also attend the meeting for that purpose.

- c) However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe the vote on the matter.
- d) In addition you must not seek to **improperly influence** a decision in which you have a prejudicial interest.

This rule is similar to your general obligation not to use your position as a Member improperly to your or someone else's advantage or disadvantage.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services Manager well in advance of the meeting.

DECLARATION OF PERSONAL AND, PERSONAL AND PREJUDICIAL INTERESTS

MEETING

DATE **AGENDA ITEM**

IS YOUR INTEREST:

PERSONAL

PERSONAL AND PREJUDICIAL

NATURE OF INTEREST:

.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Committee Clerk when you are asked to declare any interests.

By: Miss R MacCrone – Independent Chairman
Peter Sass - Head of Democratic Services and Local Leadership

To: Standards Committee – 27 April 2009

Subject: Standards Committee Work Programme and future meeting dates

Summary: To consider the Committee's forward work programme.

Unrestricted

Background

1. At the Committee's meeting on 25 November, 2008, it was agreed that the Head of Democratic Services and Local Leadership would formulate a work programme for the Committee's consideration and also, in consultation with the Chairman, agree a series of future meeting dates, so that all Members can ensure they are available to attend Committee meetings.

2. Accordingly, attached at **Appendix 1** is a suggested work programme based on relevant aspects of the Committee's work in previous years, together with the conclusions reached at the previous meeting about the Committee's future role. In addition, a number of dates are recommended for Committee meetings for the remainder of 2009, which Members are asked to agree.

Recommendation:

3. The Committee is invited to consider and agree the Committee's future work programme and proposed meeting dates (Appendix 1)

Miss R MacCrone – Independent Chairman of the Standards Committee
Peter Sass – Head of Democratic Services and Local Leadership
April 2009

Standards Committee Work Programme - 2009

Meeting	Item	Source (*Standard item unless stated)
27 April 2009	Kent Audit Review of the locally managed framework	Audit Review
	Advice Note 4 for Planning Applications Committee Members	Review by Legal Services
	Update on Member Development	Agreed at November 2008 meeting
	Monitoring of Complaints	Agreed at November 2008 meeting
	Work Programme and future meeting dates	Agreed at November 2008 meeting
	Declarations of Interest – standard form	Head of DS&LL
28 May meeting	The Committee's Annual report	Standard item
	Members' Annual reports	Standard item
	Monitoring of complaints	Standard item
	Work Programme and future meeting dates	Standard item
20 July 2009	Review of Ethical Standards Training for Members	Agreed at November 2008 meeting
	Review of Register of Interests, Gifts and Hospitality	Agreed at November 2008 meeting to be an annual report
	To meet with the political group leaders to discuss the role of the Committee in raising ethical standards	Best practice
	Monitoring of complaints	Standard item
	Work Programme and future meeting dates	Standard item
20 November 2009	Monitoring of complaints	Standard item
	Work Programme and future meeting dates	Standard item