

By: Miss R MacCrone – Independent Chairman
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To: Standards Committee - 25 November 2008

Subject: The role of the Standards Committee

Summary: To consider and discuss the role of the Standards Committee in relation to the promotion of the ethical standards agenda.

Unrestricted

Background

1. The Committee is invited to consider its current and possible future role in the promotion of high ethical standards across KCC and whether Members wish to pursue the introduction of one or more of a number of proposed enhancements to the work and activities of the Committee. This report provides information about a research study carried out by Lancashire County Council in 2006 in relation to an enhanced role for their Standards Committee. Also appended to this report, for Members' information, is a document from the Standards Board for England entitled "The role and make-up of Standards Committees".

2. The Committee's existing terms of reference are contained within appendix 2 of part 2 of the Constitution and include reference to promoting and maintaining high standards of conduct by Members (including co-opted Members); assisting Members through advice and training to observe the Code of Conduct; and monitoring the operation of the Code of Conduct and advising the Council on its operation and revision.

The Committee's existing role

3. The Committee's existing role in the promotion of high standards of conduct by both elected and co-opted Members within KCC is a positive one. The Committee has dealt effectively with the introduction of the revised Code of Conduct in June 2007 and also ensured that the authority was well-placed to take on the role of local determination of alleged breaches of the Code of Conduct from May of this year. The Committee's annual report to the full Council is good practice, with the sixth such report having been presented to Council in June 2008. Excellent co-operation and effective joint working exists between the Committee and the Independent Remuneration Panel, with particular emphasis on the completion by each Member of their individual annual reports. The Committee has taken a keen interest in the progress on Member Induction and Development and all 3 Group Leaders have attended meetings of the Standards Committee to hear about its work and to help guide future work in relation to maintaining and promoting high ethical standards.

Expanding the Committee's role

4. In 2006, Lancashire County Council undertook a research study with 12 other authorities (including KCC) into the role of Standards Committees and, in particular, how those authorities were meeting the ethical agenda. A summary of the responses received is attached at Appendix 1. The Committee will note the range of activity across the authorities surveyed, including internal and external communication; the use of the Audit Commission self assessment toolkit; and the development of a work

programme, which includes meetings with Group Leaders, the Chief Executive and senior managers.

5. Attached at Appendix 2 is a publication from the Standards Board for England entitled "The role and make-up of Standards Committees". Reference is made in the document to the Committee's wider role in relation to the governance of the authority, although Members will be aware of the existence of the Governance and Audit Committee, which complements the work of this Committee.

6. This is an initial discussion report on the possible expansion of the Committee's role in relation to the promotion of high ethical standards across KCC. The views of the Committee are sought as to the way forward. Any changes to the Committee's terms of reference will, of course, have to be agreed by the full Council.

Recommendation:

7. The Committee's views are sought with regard to enhancing the role of the Standards Committee in relation to promoting and maintaining high ethical standards across KCC

Miss R MacCrone – Independent Chairman of the Standards Committee

Peter Sass – Head of Democratic Services and Local Leadership

November 2008

Extract from Lancashire County Council report on the role of Standards Committees

1. Has your Committee given formal consideration to general issues of ethical governance?
 - The Committee receives reports of case decisions of interest at every meeting.
 - Considers complaints made under the Code of Conduct every 6 months and compares these to the statistics provided by the Standards Board.
 - Reviews of Register of Interests, Register of Gifts and Hospitality and Whistleblowing Policy every 12 months.
 - Review of certain codes and protocols in the Constitution every 12 months.
 - Regular receipt of reports regarding declarations of interest and Councillors attendance at Committees.
 - The Committee is briefed on the amount of Freedom of Information requests received, whistleblowing complaints and the proposed ethical element to the Comprehensive Performance Assessment in order to ensure compliance with appropriate guidelines and requirements of corporate governance.
 - The Committee considers the way in which the Register of Councillors Interests is made available for inspection
 - Response to Standards Board Papers.
 - Some Committees consider the conduct of Officers and formulate protocols in respect of this.
2. Assessment of ethical standards within the Authority.
 - Receives complaints about Members.
 - Reviews complaints made on a 6 monthly basis and by regular ethical audits.
 - Preparing an ethical audit (Audit Commission).
 - Received presentation from Audit Commission's representative.
 - 'Self-assessment' survey carried out.
 - Full ethical audit currently being carried out using Audit Commission's toolkit.
3. Raising awareness of the ethical agenda within the Authority
 - Internal newsletter, Intranet pages, handouts, briefings and e-learning.
 - Chair of Standards Committee has regular meetings with the Leader of the Council to talk about Standards issues and is co-opted onto the Audit Committee (this was the case for 1 County Council and 1 Unitary Authority surveyed).
 - Articles in Council's newspaper that is delivered to all households about the nature of the Standards Committee's work.

- Key developments in ethical arena included in a 4 times yearly bulletin distributed to all Councillors.
- Responds to all consultative papers issued by the Standards Board.
- An Officer Working Group chaired by the Monitoring Officer has as one of its standing items the increase of awareness and acceptance of ethical governance within the Council.
- Compiled a mandatory Code of Conduct for senior officers.

4. Do you have work plans for your Standards Committee?

- Detailed ever changing work plan prepared in draft at least 9 months in advance.
- No defined work plan.
- A work programme is set out yearly and included in the programme is meetings with Group Leaders, the Chief Executive and Senior Officers at least once a year.

5. Does your Committee have a purely regulatory role or a wider supportive role?

About half of the authorities who replied to the survey had a purely regulatory role and half had a wider role.