

By: Chairman of Standards Committee  
To: County Council – 21 June 2007  
Subject: **ANNUAL REPORT OF THE STANDARDS COMMITTEE**  
Classification: Unrestricted

FOR DECISION

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## **Introduction**

1. This is the fifth Annual Report of the Standards Committee and covers the period from June 2006 to June 2007.

## **New Code of Conduct for Members**

2. (1) In January 2007, the Department for Communities and Local Government (DCLG) published a consultation paper seeking views on a draft of a proposed new Model Code of Conduct for local authority members.

(2) The Committee considered the consultation paper at its meeting on 6 March 2007 and, on behalf of the County Council, submitted comments on it to the DCLG.

(3) Within four weeks of the closing date for the consultation, the Secretary of State for Communities and Local Government made The Local Authorities (Model Code of Conduct) Order 2007, which brought the new Model Code into effect as from 3 May. From that date, local authorities have up to six months in which to adopt the new Model Code.

(4) The Committee has considered the Model Code and made minor amendments to it (as permitted by the Order) to suit the circumstances of the County Council. The resulting new draft Code of Conduct for Members of the County Council (which will supersede the existing Code) is attached at **Appendix 1**.

(5) The Committee has also approved a new Advice Note for Members on the Registration and Declaration of Interests, which reflects the provisions of the new Code of Conduct (attached at **Appendix 2**). Once the County Council has adopted the new Code, the Advice Note will be circulated to all Members.

(6) The Committee has suggested that, as part of the Council's consideration of this item on 21 June, a brief training presentation on the new Code of Conduct should be given to all Members.

## **Future Programme of Work**

3. (1) The Committee has noted that CIPFA and CPA guidance envisages local authority standards committees becoming much more involved in actively promoting high ethical standards and constituting the main means of raising awareness within their council of standards issues.

(2) We are also aware that changes to the role of standards committees proposed in the Local Government and Public Involvement in Health Bill, under which they, instead of the Standards Board for England (SBE), will become responsible for dealing in the first instance with allegations of misconduct by Members, will raise the profile of standards committees generally.

(3) The Committee has therefore started giving consideration to a future programme of work which will:

- (a) prepare it for its new role when the provisions in the Bill take effect (expected late 2007/early 2008);
- (b) enable it to better raise awareness of standards issues within the Council.

(4) Places have been reserved for Members of the Committee at a SBE Roadshow to be held in London on 28 June which is intended to share advice and experience on implementing the new Code of Conduct and to provide an update on the new role of standards committees in respect of complaints against Members.

## **Complaints**

4. (1) During the year the Committee was advised of ten formal complaints to the SBE alleging breaches of the Council's Code of Conduct by KCC Members. The SBE took decisions about these complaints as follows:

No investigation required	6
Referred to an Ethical Standards Officer for investigation	4

(2) Of the four complaints investigated by an Ethical Standards Officer, none was upheld.

(3) As part of our new work programme, we are receiving reports at each of our meetings on the most recent SBE findings on allegations of misconduct against KCC Members so that we can identify and publicise within the County Council any lessons that can be learned from those findings.

(4) We also received at our last meeting a report comparing KCC's record on complaints over the last three years with the national position. We will, in future, receive a similar report each year as part of our work to monitor the County Council's performance in terms of ethical standards. We noted that there had been very few complaints against Kent County Councillors and the Committee believes that this confirms a generally healthy awareness of, and compliance with, ethical standards by Members of the County Council.

(5) The procedure for the Chairman of the Committee to facilitate resolution of a possible complaint by one Member against another has, once again, not had to be invoked this year.

## **Members' Annual Reports**

5. (1) The Committee was pleased to note that Annual Reports had been received from all Members of the Council. Overall the standard was high and the reports indicated Members' commitment to their local constituents and to their role as County Councillors. In particular, following the introduction of the revised Annual Report format, the Committee was pleased to receive comprehensive information from most Members on the allocation of their local community grants. However, the Committee found it regrettable that, once again, not all Members had completed their reports as fully as others. Indeed, one or two reports were so lacking in any detail that they presented no idea whatsoever of the activities of the Members concerned from the perspective of their constituents.

(2) The Committee feels that it perhaps needs to be repeated for the information of some new Members who have questioned the rationale behind the Annual Reports, that the reason they were introduced at the time that Members' Allowances were significantly increased in 2001 was to provide factual evidence to constituents and the public at large of the wide range of activities carried out by Members on their behalf.

(3) The Committee proposes to liaise with the party group leaders to discuss the use they make of the Annual Reports and to see whether they would wish to suggest any amendments to the format to make the Annual Reports more useful for them.

(4) Since it was agreed by the Council last year that Members' Annual Reports should, with effect from this year, be available on KCC's website, the Committee feel it is imperative that all Members complete an electronic version of their report. To date a little over 50% of Members have emailed a copy of their 2006/07 report for publishing on the website. The Committee appreciates that some Members find it difficult to complete the form online and so it has suggested that, when the 2007/08 Annual Report forms are circulated, refresher IT training, with particular emphasis on completing online forms, should be offered to Members.

(5) Due to wide inconsistencies among Members on recording the total number of County Council meetings held per year, the Committee has decided to amend the form so that this figure is included for future years. The Committee was advised that the number of meetings of each formal KCC committee, and details of Members' attendances at them, could be obtained by Members from Knet.

(6) The Committee will, in accordance with the practice established last year, carry out checks on a sample of forms in order to verify the information they contain.

## **Recommendations**

6. (1) The County Council adopts the new draft Code of Conduct for Members as set out in **Appendix 1**.

(2) All County Council Members should attend a training presentation on the new Code of Conduct.

John Ogden, DL  
Chairman,

Background documents: *Nil*