

Standards Committee – Annual Report

2009 / 2010



Chairs foreword

I have pleasure in presenting the 2009/10 Annual Report of the Standards Committee to the Council.

The last twelve months have been busy, wide ranging and constructive in the work carried out by this Committee.

The Standards Committee continues to work and support the Council and all Town and Parish Councils in promoting high ethical standards for all our Councillors. The introduction of local decision making in May 2008 this Committee now has experience of all aspects including assessment, review and determination.

Awareness and visibility of our role and local understanding is essential to both the Authority and the wider public. The introduction of our Town and Parish Council mentor process has further developed this aim and enhanced the overall view of a progressive Committee and Authority. Indeed this Annual Report forms part of our desire for public awareness and understanding.

There have been several changes in the membership of the Committee over the last twelve months, enabling us to provide the optimum balance of Councillors, Town and Parish Councillors and independent members to provide all our requisite needs. It would be remiss not to mention the retirement of the Reverend John Cree, one of our independent members and acknowledge his services to both this Committee, the Authority and the community.

The anticipated arrival of changes in the Code of Conduct has now been delayed until after the General Election 2010. This, in turn, will add to the demands on the Committee, not least in training requirements for everyone.

I would like to thank all members of the Standards Committee for the support and commitment they have given to the work of the Committee over the past year. I would also like to convey the thanks of all Committee members to both the Monitoring Officer and the Democratic and Members Services Officer who have provided invaluable advice and assistance.

Tony Ellwood
Independent Chair of the Standards Committee

Introduction and role of the Committee

This annual report provides a summary of the work undertaken by Chorley Council's Standards Committee during the Municipal Year 2009/10 to promote and ensure compliance with the Member's Code of Conduct and generally to ensure good standards of ethical governance within the Borough Council and the Town and Parish Councils covered by the Committee.

Code of conduct

Local authorities are required to adopt a Code of Conduct that sets out rules governing the behaviour of their Members. Standards for England are a national body who champion and promote high standards of conduct among local politicians and ensure the public are in no doubt that standards and principles matter to local government. For more information on

Standards for England please see their website <http://www.standardsforengland.gov.uk/>



Membership

The current membership of the Committee is as follows:

- Independent Members: Tony Ellwood (Chair), Hugh Evans and Gwynne Furlong.
- Town and Parish Council Members: Councillor Joan Geddes, Councillor Alan Platt and Bill Mason.
- Borough Council Members: Councillor Mike Devaney (Vice-Chair), Councillor Judith Boothman, Councillor Cath Hoyle, Councillor Debra Platt and Councillor Stella Walsh.

Terms of reference

The constitution of the Committee and its role and function are defined in Article 9 of the Articles of the Constitution. Primarily, although this is not an exhaustive list, the Committee's function is to promote and maintain high standards of conduct by Members and to be responsible for the assessment and investigation of complaints of breaches of the Code of Conduct. Importantly, the Committee assists, advises and trains Members on the operation of the Code.

Committee Meetings and Business



The full Committee has met four times during the year and has been successful in following the work programme approach adopted in previous years. At each meeting the Committee considers work undertaken to promote the code and receives any updates from Standards for England or the Adjudication Panel. Under the latter heading the Committee now receives a report at each of its meetings regarding cases which have been referred by Committees to Standards for England for investigation and in relation to Adjudication Panel decisions. Other items considered at each meeting are progress and issues arising from the Town and Parish Council mentoring scheme and training issues.

In addition to its routine business the Committee has considered and made recommendations in relation to the following matters:

- Recently published guidance from Standards for England on "other action" and "granting of dispensations",
- 2008 / 2009 Annual Return to Standards for England,
- Standards Committee (Further Provisions) (England) Regulations 2009,
- Recruitment of additional Members of the Standards Committee,
- Draft email, internet and telephone policy for Members,

- Probity in Planning - a revised guidance note prepared by the Local Government Association,
- The requirements surrounding notifications to Town and Parish Councils concerning complaints,
- Annual Assembly of Standards Committees report from the Chair and Democratic and Member Services Officer,
- "Putting the public in the picture - what does your authority's website say about standards?" quiz produced for the Annual Assembly,
- Discussion regarding public awareness of the Standards Committee,
- Local Assessment process and timescales,
- Review of the complaint form,
- Consideration of the Council's officer code of conduct,
- Draft 2009 / 2010 Annual Report.

Complaints received 2008 / 2009

The number of complaints being dealt with by the Committee continues to be at a relatively low level.

- Three allegations have been received, one of which was referred to Standards for England. This was subsequently referred back to the Committee and a local investigation undertaken.
- Each allegation was dealt with within 10 days of receipt on average and no complaint was dealt with outside the 20 day recommendation by Standards for England.
- Only one request for a review has been received and dealt with within 2 days.



This means that there have been four meetings of the Assessment Sub-Committee, one meeting of the Review Sub-Committee and two meetings of the Consideration Sub-Committee

The allegation referred for local investigation was that a Councillor had breached the Code of Conduct by sending an email to a number of Members of her own Group which was alleged to be offensive and racist. The decision of the Consideration Sub-Committee was that the allegation was not substantiated and accordingly the Councillor had not breached the Code.

A Consideration Sub-Committee was held to consider an investigation report from 2008 / 2009. The allegation was that two Parish Councillors had breached the Code of Conduct by engaging in a racist conversation before a meeting of the Parish Council. The Consideration Sub-Committee agreed that the allegation was not substantiated and accordingly the Councillors had not breached the Code.

Reporting back on complaints prior to 2008

A case referred to Standards for England for investigation will be heard by the Adjudication Panel in the spring of 2010.

Standards Sub-Committee

For some years the Committee has operated a Standards Sub-Committee which meets twice a year with the purpose of carrying out a review and audit in relation to the maintenance of records of interest and hospitality provided by both Borough Council and Parish Members. Following meetings letters were sent to Town and Parish clerks highlighting common issues. Specific queries were raised on several forms for Town, Parish and Borough Councillors.

The Sub Committee was pleased this year to note that the quality of register entries showed clear signs of improvement.

Training and Information Provision



The Standards Committee has continued to regard the provision of training and information as a key function.

- The Bulletin from the Standards for England has been forwarded to Town and Parish Council clerks in addition to the Committee members. It also featured on “intheknow” (the fortnightly Members ezine),
- An article highlighting some guidance from Standards for England relating to gifts and hospitality was promoted within “intheknow” in November.
- A reminder to update financial and other interests’ forms was included in the December “intheknow”.
- The Code of Conduct: when the Code applies, what it covers, general obligations, registering interests, declaring interests and predetermination. Borough, Town and Parish Council Members attended a session delivered by the Monitoring Officer in December. The Chair of the Committee also attended.
- The Committee viewed the DVD produced by Standards for England regarding Local Assessment of complaints at their meeting in December.

Town and Parish Council Mentoring

The Committee is now into the third year of its mentoring programme which is another important aspect of its awareness raising programme. Mentoring involves each Member of the Standards Committee being allocated two Town and Parish Councils and committing to attend at least one Town and Parish Council meeting during the year.

At those meetings the Standards Committee member is prepared to give a brief overview of the work of the Committee and pass on news about important developments. Copies of a briefing note and the personal interest flow chart have been made available for mentors to distribute. It is anticipated that by the end of the year each Town and Parish Council will have had a visit in accordance with the plan.

Recruitment of Independent members

Following the retirement of Reverend John Cree a recruitment process was undertaken. Members of the Local Strategic Partnership had been contacted to canvass interest and following interviews two new Independent members were appointed. We would like to take this opportunity to welcome Hugh Evans and Gwynne Furlong to the Committee.

Best practice

Throughout the year the Committee have demonstrated best practice as identified by Standards for England, both at the Annual Assembly and within the Annual Report 2008 / 2009. These include:

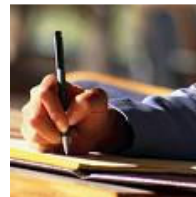
- The quiz “Putting the public in the picture” showed that the information available on the Council’s website is of a high quality and includes proactive promotion of standards issues,
- There is a section on the website dedicated to standards and ethics, which includes the complaints form, the written decisions for determination hearings held and the annual report of the Standards Committee,
- The provision of a flow chart that explains when to declare interests,
- Town and Parish clerks and the local press receive notification when the agenda for the Committee has been published,
- The Chair of the Standards Committee attends meetings of the Council as an observer,
- Production of an annual report,
- Member Learning Sessions are held each month. The program for these is set following personal development plans for each Member and by the Member Support Working Group.

In addition, the Monitoring Officer meets with the Chief Executive, as and when required, to discuss ethical issues. The Chief Executive will be invited to attend the first meeting of the new municipal year from 2010 / 11.

Committee work programme

Standing items:

- News from Standards for England
- Cases Update
- Feedback from visits to Town and Parish Councils
- Work undertaken to promote the Code of Conduct
- Training issues
- Standards Committee work programme



Future items:

- Process for dispensations
- Methods for educating Members on the process and timescales involved in receiving allegations of a breach of the code, through the assessment, then potentially an investigation
- Guidance on information accessible, disclosed and disposed of by Members
- Consideration of the Officer code of conduct
- Consideration of the current Local Code of Conduct on Planning issues following the review by ACSES
- Consideration of the need for a Licensing Code of Conduct

Distribution

The report will be signed off by the Committee and considered at a Council meeting. It will then be posted on the Council's internet and forwarded to Town and Parish Council clerks within Chorley.