

STANDARDS COMMITTEE

MONDAY, 19 JANUARY 2009

PRESENT:- Mr Keith Carby (Chair), Mr Trevor Davies (Vice-Chair), Mr Paul Morris, Mr David Dawson, Mr Martyn Cook, Mr Mike Compton, Councillor Melanie Duff, Councillor Peter Stoddart, Councillor Maurice Fanning and Councillor Fay Howard.

15. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

16. Minutes

Resolved - That the minutes of the meeting held on 20th October 2008, be confirmed and signed as a correct record.

17. Public Question Time

No public questions were received during the meeting.

18. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 8 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 22 refers.)

19. Ethical Framework Update

The Committee received a report from the Director of Law and Democratic Services (Monitoring Officer) on the following Ethical Framework matters: -

a) Use of Resources - The Committee noted that the Audit Commission had confirmed that within the Council's Use of Resources score for 2007/08 the overall theme score for Internal Control was 3, as in previous year, and the Council had retained the top score of 4 for probity and propriety. The Committee noted a copy of the Notable Practice submission on which the top score had been achieved.

b) Interim Report on Local Filtering Arrangements - The Director of Law and Democratic Services advised that 7 complaints had been received under the Members Code of Conduct since 8 May 2008, but none had been referred for further action by the Assessment and Review Sub-Committee, and compared this to the national picture.

c) Communities in control: real people, real power: The Committee received a copy of the Council's response to the consultation paper.

d) Annual Governance Statement - The Committee reviewed the process and Group Directors / Directors questions used to prepare the Council's Annual Governance Statement. The Deputy Chief Executive confirmed that the questionnaires were useful in enabling officers to assure themselves that governance processes were in place.

e) Standards in Partnership Workshop - The Committee received a copy of the Key Line of Enquiry setting out how the Council is to be assessed on its internal governance arrangements and its partnership governance arrangements. It was noted that a forthcoming 'Standards in Partnership' workshop would address the requirements of the KLOE.

f) Parish Council Visits - Mr Mike Compton provided a summary of the visits he had undertaken during the year to each of the Parish Councils, and confirmed his conclusion that the visits had shown that the Parish Councils did understand ethics and standards and were willing to train to keep up to date.

g) Standards Board Publications - The Committee noted the contents of Standards Bulletin Issue 41.

Resolved - 1) That the Ethical Framework report be noted.

2) That the Use of Resources assessment for probity and propriety be welcomed.

3) That the Committee endorses the process for the preparation of the Council's Annual Governance Statement and the Group Director / Directors assurance statement, subject to any further comments that Members provide to the Director of Law and Democratic Services, and the Head of Internal Audit investigate introducing shorter assurance statements for Cabinet Members to complete as part of the Annual Governance Statement preparation process.

4) That the Committee thanked Mr Compton for undertaking the Parish Council visits and welcomed his report.

20. Question and Answer Session - Leader of the Council and Deputy Chief Executive

Further to Minute 13 (b), the Committee had invited to the Leader of the Council and Chief Executive to attend the meeting to discuss their key priorities and key areas for action, in relation to ethical standards and governance. The Deputy Chief Executive attended the meeting as the Chief Executive had a prior engagement.

The Leader in response to a question on the priorities for 2009, confirmed that personal ethics and probity were fundamental to establishing the trust needed to be effective in public office. The Leader and Deputy Leader confirmed that they were satisfied that there was a high degree of ethical behaviour and probity in the Council, and that processes were in place to ensure this, and to enable individual challenge where necessary. This was demonstrated by the top Use of Resources score in the area of probity and propriety. However, recognising that there was always room for improvement, it was agreed that efforts for the next year should focus on three main areas:

a) Communication - ensuring that the tone and style of engagement by Officers and Members demonstrates respect, and this is continually developed through targeted training and development. The Deputy Chief Executive confirmed that this tied in with the Council's 'In Touch' programme, promoting key values and

behaviours.

b) Partnerships - establishing and agreeing shared values and codes of conducts for the Council's partnerships. This lined up with the work beginning in the 'Swindon Standards in Partnership' workshop highlighted in the last agenda item.

c) Independence - confirming and affirming the role of an independent Standards Committee, and other independent bodies working with the Council, as a 'critical friend' in terms of continuing to develop ethical standards and probity.

Resolved - 1) That the Leader of the Council and Deputy Chief Executive be thanked for attending the meeting and answering questions from the Committee.

2) That the Chair of the Committee and Director of Law and Democratic Services identify actions for the coming year for the Standards Committee that will support the development of standards and ethics in the areas of Communication, Partnerships and Independence, and report back to a future meeting of the Committee, in conjunction with the updated desktop Ethical Audit.

21. Anti-Fraud and Corruption Strategy

The Committee received a report from the Director of Law and Democratic Services and the Head of Internal Audit including the updated Anti-Fraud and Corruption Strategy, Whistleblowing Policy, and Fraud Response Plan. These documents had last been reviewed by the Committee in July 2008, and had recently been updated following receipt of new guidance from the CIPFA Better Governance Forum, in addition to complying with the requirements of Use of Resources key lines of enquiry, best practice guidance, and the new British Standard on whistleblowing.

The Committee endorsed the documents, only asking that the Head of Internal Audit amend the title pages to show pounds rather than dollars, and to advise the Committee on the date of the next renewal of the Public Concern at Work helpline Council subscription.

Resolved - That subject to the minor changes above that the updated Anti-Fraud and Corruption Strategy, Whistleblowing Policy, and Fraud Response Plan be endorsed, and the Director of Law and Democratic Services (Monitoring Officer) be authorised to finalise and issue the Anti-Fraud and Corruption Strategy, the Whistleblowing Policy and the Fraud Response Plan, in consultation with the Chair and the Head of Internal Audit, having regard to any comments received from the Audit Committee, the Council's External Auditors and the West of England Chief Auditor's Fraud Sub-Group.

22. Ethical Framework Compliance Update

The Committee considered a report of the Director of Law and Democratic Services regarding the outcome of various ethical framework compliance matters, including the progress of current whistleblowing complaints. It was noted that no complaints had been received since the last meeting under the Member / Officer Protocol. In addition, as highlighted in the Ethical Framework Update report, 3 complaints had been received since the last meeting under the Members Code of Conduct, all of which had resulted in 'no further action', and that there were no outstanding complaints.

Resolved - That the report on the outcome of various ethical framework compliance matters be noted.