

Ethical Framework Update

Standards Committee

Date: 21 January 2008

Author: Director of Law and Democratic Services (Monitoring Officer)

Wards Affected: All

Purpose

- To provide an update on various matters related to the Ethical Framework.

Recommendation

- That the Ethical Framework update be welcomed and noted.
- That the Monitoring Officer be authorised to advertise for up to 2 independent members for appointment from May 2008.
- That the Corporate Governance Working Party be consulted on the proposal to increase the membership of the Standards Committee from 7 to 11 members to provide additional capacity to operate local filtering arrangements when introduced.

1. Reasons

- 1.1 To keep the Standards Committee informed of issues of probity in the Council.

2. Detail

Membership of the Standards Committee

- 2.1 In January 2007, the Committee authorised the Director of Law and Democratic Services to carry out the public advertisements and appointment processes for any future vacancies on the Standards Committee and to recommend appointments to Council in accordance with the current procedure.
- 2.2 Mr Keith Carby was appointed as a lay member for a 4-year term of office from May 2004, and therefore his seat on the Committee is due for re-advertisement in April 2008. The Monitoring Officer is due to begin the advertisement process shortly for a 4 year term appointment to run from June 2008 to April 2011. There are no restrictions on the current post holder continuing on the Committee following a successful application process.
- 2.3 In the light, however, of the consultation on the local filtering arrangements which are the subject of a separate report on this agenda, it may be necessary to increase the number of members on the Committee. It is

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suggested that the size of the Committee could be increased by 4 members, to give a total membership of 11 members as follows:

- ◆ 2 Conservative Members (increased from 1)
- ◆ 2 Labour Members (increased from 1)
- ◆ 1 Liberal Democrat Member (as current)
- ◆ 4 Independent Members (increased from 3)
- ◆ 2 Parish Representatives (increased from 1)

- 2.4 The views of the Committee are sought on this matter, and if the Committee is in favour of this proposal, it is suggested that this be recommended to the Corporate Governance Working Group for consideration, and that in the interim the Monitoring Officer be authorised to advertise for up to 2 independent members to begin in May 2008.
- 2.5 In practical terms, each of the Conservative and Labour Groups have already appointed deputies and so those members could be made full members of the Committee.
- 2.6 Discussions have taken place with the Swindon Area Committee on the potential to appoint a new deputy parish representative, in place of Mr Richard Hailstone, who has stepped down from the Committee. If it was decided that the number of Committee members did need to increase, it may be appropriate to appoint the second parish representative as a full member of the Committee, rather than as a deputy representative. This would also allow the Parish Councils to continue to be represented if their nominated representative is 'conflicted out' of the decision-making process for whatever reason.

Standards Board Publications

- 2.7 Attached at Appendix '1' is the Standards Board Bulletin for December 2007 (Issue 36) which includes references to:
- Amendments to the Local Government Act 2000.
 - DCLG consultation on new regulations and orders.
 - Local Assessment of Complaints – Summary of the findings from the pilots.
 - Checklist for local authorities in the run up to April 2008.
 - Local Assessment information now available online
 - Case Review 2007 available online.
 - Audit Commission review of Councils that identified where Councils need to take stronger action in relation to ethical governance.
 - Abolition of Independent Adjudicator giving a new role to Standards Committees to grant dispensations to staff to engage in political activities.
 - Update on advice on suspensions.

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- 2.8 If any member of the Committee has any queries on any issue raised in the Bulletin, these can be raised at the Committee meeting and prior notice thereof to the Monitoring Officer would be helpful.

Monitoring and Audit Pilot

- 2.9 On 6 December 2007, the Committee Officer on behalf of the Monitoring Officer took part in a Standards Board pilot exercise to test and evaluate the new online submission system for inputting information on Standards complaints as part of the local filtering arrangements. The feedback form provided to the Board will be analysed alongside feedback from other authorities, in order that appropriate improvements can be made to the system, before its introduction.

Berkshire, Oxfordshire and Wiltshire Independent Standards Committee Members' Forum

- 2.10 The next meeting of the Forum is scheduled for Friday 29th February 2008, to be hosted by South Oxfordshire District Council.

Standards Committee Conference

- 2.11 No further action has been able to be taken in relation to the proposed Swindon Standards Committee Conference. Although it is still intended that this will take place, it may well now be later in the year than originally planned due to the pressure of other commitments.

Training and Development

- 2.12 An update on the latest training and development activities undertaken by Members is attached at Appendix '2',

Alternative Options

- It is open to the Committee to decide not to propose an increase in its membership.

Risk Management

Financial and Procurement Implications

- There are no direct financial or procurement implications.

Legal / Human Rights Implications

- There are no direct legal or human rights implications

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Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)

- Monitoring of issues of probity in the Council underpins the Council's plans and policies and to the delivery of the 2010 objectives.

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.
- Chief Executive
- Group Director, Business, Transformation
- The Conservative, Labour and Liberal Democrat Groups, and Councillor Glaholm.

Background Papers and Appendices

- Appendix 1 – Standards Board Bulletin for December (Issue 36)
- Appendix 2 – Training and Development Update