

Ethical Framework Update

Standards Committee

Date: 14 July 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 noted.
- That the Monitoring Officer and the Head of Internal Audit consult on a review of the Anti-Fraud and Corruption Policy, the Whistleblowing Policy and the Fraud Response Plan, and report back to the next meeting with any revisions.
- That the Committee support the draft proposal for a Standards Conference during 2008/09, subject to any amendment which may be made at the meeting.
- That the Annual Governance Statement and the local Code of Corporate Governance be noted.

1. Reasons

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

2. Detail

Anti-Fraud and Corruption Strategy and Whistleblowing Policy

- 2.1 The Anti-Fraud and Corruption Strategy (Appendix '1') sets out measures designed to frustrate any attempted fraudulent or corrupt acts and the steps to be taken if such action occurs.
- 2.2 The Council's Whistleblowing Policy (Appendix '2') supports the Strategy and makes it clear that concerns can be raised without the fear of reprisals. It is intended to encourage and enable employees, Members and Governors to raise serious concerns within the Council, irrespective of seniority, rank or status, rather than overlooking a problem or reporting the matter externally.
- 2.3 The Council's Internal Audit section have also developed a Fraud Response Plan (Appendix '3') and Fraud Awareness Guide (Appendix '4') that will be rolled out to relevant Members and staff starting this financial year.

Further information on the subject of this report can be obtained from Stephen Taylor on Direct Dial on 01793 463012 or Email staylor@swindon.gov.uk.

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- 2.4 It was initially agreed that these documents be reviewed annually, and subject to any amendments that the Committee may wish to make to the documents, the Monitoring Officer and the Head of Internal Audit will consult on a review of the documents, and report back to the next meeting with any proposed changes so that any revisions can be formally adopted by the Committee.

Swindon Standards Conference

- 2.5 At the last meeting the Committee supported the proposal for a conference to be held focused on 'Standards in Partnership'. Attached at Appendix '5' is a draft proposal for a conference, with the date to be identified for September or November 2008. This has been formulated in consultation with the Director of Partnership, Policy and Communications.
- 2.6 The Committee is asked to comment on the programme suggested which can then be discussed at the next meeting of the Swindon Strategic Partnership Board.

Annual Governance Statement

- 2.7 The Annual Governance Statement (Appendix '6') is the formal statement that recognises, records and publishes an authority's governance arrangements. It is a statement that has now subsumed the Statement on Internal Control.
- 2.8 It is designed not only to give an opportunity for authorities to consider the robustness of their governance arrangements, but also provide an accurate representation of arrangements in place during the year and to identify key areas where improvement is required. Paragraph 3(c) of the Statement in particular refers to the work of the Standards Committee
- 2.9 Audit Committee approved the Council's Annual Governance Statement at its meeting on 24th June. There are various sources of assurance, including the Standards Committee, that can inform both Corporate Board and Audit Committee on how the governance arrangements and systems of internal control have been operating, and these are set out in Appendix '7'.

Local Code of Corporate Governance

- 2.10 The Council has approved and adopted a local Code of Corporate Governance (Appendix '8'), which is consistent with the principles of the CIPFA/SOLACE Framework for Delivering Good Governance in Local Government.

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- 2.11 Members of Standards Committee are referred in particular to the section in the Code entitled 'Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour (paragraphs 3.6 to 3.8). As part of the Ethical Audit self-assessment to be completed this year under the draft Work Programme, the Standards Committee will consider the Council's compliance with that principle.
- 2.12 The Standards Committee will be invited to comment on the content of the local Code during its review later in the year.

Parish Councils

- 2.13 Mike Compton has been visiting Parish Councils as discussed at a previous meeting of the Standards Committee, to give a brief introduction to the work of the Committee, to discuss with Parishes how they are managing with the implementation of the New Code of Conduct, to discuss any issues or queries that have arisen, and to ask if the Council or Standards Committee can provide additional help or support.
- 2.14 To date, Mr Compton has visited eight Parish Councils within the Swindon area (Blunsdon, Highworth, Stratton St Margaret, Hayden Wick, South Marston, Wroughton, Covingham and Wanborough), and is booked to visit Bishopstone and Chiseldon during July and Castle Eaton and Stanton Fitzwarren during September. This has proved a valuable exercise to enable the Standards Committee to contact the parish councils and discuss their understanding of the ethical framework. Mr Compton will report back on the visits to date.

Register of Interests

- 2.15 All newly elected Members have completed their acceptance of office forms and register of interests form. All re-elected members have signed their acceptance of office form and either completed a new register of interest form or confirmed that there has been no change in their interests.

Training

- 2.16 All newly elected Members have had an induction on the ethical framework either collectively or individually from the Monitoring Officer.
- 2.17 All new members of Planning Committee attended the mandatory training session on decision-making.

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- 2.18 The newly appointed Independent Member of the Standards Committee has received an Induction on the Code of Conduct and the work of the Committee. Similar arrangements are being made with the newly appointed Parish Representative who is an experienced parish councillor and he has already attended a meeting of the Committee to familiarise himself with its work.
- 2.19 A Members Development evening is to take place on 9th July 2008. During the evening the Monitoring Officer will be conducting two sessions. One being an update on the Ethical Framework at which the Standards Board for England DVD 'The Code Uncovered' will be shown. The other being a session on Chairing Skills which will include advice on dealing with potential breaches of the Code of Conduct and the Member / Officer Protocol during a meeting.

Standards Board Publications

- 2.20 Attached at Appendices '9' and '10' are the Standards Board Bulletins for April 2008 (Issue 38) and for June 2008 (Issue 39). These summarise the Standards Committee Regulations and the new online local reporting system; give a personal account of the introduction of local assessment by the Monitoring Officer of a shire district council; and introduce the new Chair of the Standards Board.
- 2.21 If any member of the Committee has any queries on any issue raised in these publications, these can be raised at the Committee meeting and prior notice thereof to the Monitoring Officer would be helpful.

Berkshire, Oxfordshire and Wiltshire Independent Standards Committee Members' Forum

- 2.22 The next meeting of the Forum has been arranged to take place at the offices of Cherwell District Council, Bodicote, (near Banbury) on Friday 26th September at 11 am. Independent Members are invited to say whether they are intending to attend.

Seventh Annual Assembly of Standards Committees – 13th -14th October 2008

- 2.23 The Seventh Annual Assembly of Standards Committees will be held on 13th -14th October 2008 in Birmingham. Trevor Davies (Vice-Chair) and Stephen Taylor (Monitoring Officer) and will be attending on behalf of the Committee. They will report back on the various sessions held, and lessons to be learned.

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Alternative Options

- The Committee could decide not to review the Policies referred to, and not receive the update.

Risk Management

Financial and Procurement Implications

- There are no direct financial implications

Legal / Human Rights Implications

- There are no direct legal or human rights implications

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
- Head of Internal Audit
- Director of Partnership, Policy and Communications

Background Papers and Appendices

- Appendix 1 – Anti-Fraud and Corruption Strategy July 2007
- Appendix 2 – Whistleblowing Policy July 2007
- Appendix 3 – SBC Fraud Response July 2007
- Appendix 4 – SBC Fraud Guide for Managers July 2007
- Appendix 5 – Swindon Standards Conference Draft Proposal
- Appendix 6 – Swindon Borough Council Annual Governance Statement.
- Appendix 7 – Annual Governance Statement Framework (Flowchart).
- Appendix 8 – Local Code of Corporate Governance
- Appendix 9 – Standards Board Bulletin for April 2008 (Issue 38)
- Appendix 10 – Standards Board Bulletin for June 2008 (Issue 39)