

Capturing improvement Use of resources assessment – local government 2008	
Council	Swindon Borough Council
Type:	Unitary
UoR KLOE	4.3
Topic	Probity and propriety in the conduct of its business
Information generated from:	Use of resources assessment 2008 Use of resources assessment 2007
Council contact:	<p>Is the council willing to share this example with auditors appointed by the Audit Commission? YES</p> <p>Is the council willing to share this example with other councils? YES</p> <p>Names: Stephen Taylor Role: Monitoring Officer Nick Hobbs Role: Head of Internal Audit</p> <p>Tel: 01793 463012 Email: staylor@swindon.gov.uk 01793 463940 Email: nhobbs@swindon.gov.uk</p>
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Please address all questions.	
1. What objective was the council seeking to achieve?	
<ul style="list-style-type: none"> • Demonstrate that its members and staff exhibit high standards of personal conduct • Updating ethical framework • Promotion of high standards of conduct and ethics within the Parishes of Swindon • Track record of effective action in response to whistleblowing disclosures. That there are periodic reviews of the effectiveness of the arrangements, and effective arrangements for receiving and acting upon disclosures from members of the public • Increase and promote awareness of the risk of fraud • Ensure that investigations are carried out to a high standard following best practice • Share experiences of fraud with other authorities to ensure appropriate areas are covered in the audit plan • Learn from and promote best practice 	
2. How did the council go about this?	
<ul style="list-style-type: none"> • Comprehensive induction training programme of members and staff in relation to personal conduct. Reviewed Officer and Member Codes of Conduct. Regular reminders issued to all staff on these issues via the Corporate Core Brief system, and reminders and refresher training given to members of the Borough Council and Parish Councils within the Borough. Reports made to Standards Committee or its Chair, as appropriate, on breaches so that corrective action can be taken. The Leader of the Council and the Chief Executive are very supportive and the Monitoring Officer reports regularly to them on matters of probity and conduct and the Leader has intervened with members where necessary, including suspending a member from the political group on the Council. • A review of the ethical framework was carried out and a local Code of Corporate Governance was introduced. • Best practice is promulgated and information circulated to members via an Ethical Framework Update Report (includes the Standards Board Bulletins) that is reported to Standards Committee. 	

- Participation in a Standards Board for England pilot to give feedback as to how a local filter system could work and to enable members of the Council's Standards Committee to shape the national development of the local filter process.
- Running a workshop facilitated by I&DeA entitled 'Member/Officer partnerships'. The workshop was organised by the Monitoring Officer and Head of Learning and Development in consultation with I&DeA. It was attended by Members and Officers and considered a range of issues relating to Member/Officer relationship with the intention of seeing how more effective working could be achieved.
- Parish Councils were visited by a member of Standards Committee to give a brief introduction to the work of the Standards Committee, to discuss with Parishes how they were 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 to provide, or maintain, high standards of conduct.
- The Monitoring Officer convenes quarterly meetings with Town and Parish Clerks in the Borough and the discussion of the ethical framework is on every agenda. The Monitoring Officer also convenes quarterly meetings with representatives of Parish Councillors within the Borough at which ethics and standards are on the agenda.
- In December 2007 the Council took part in a second pilot testing an on-line submission system being developed by the Standards Board for England to enable a quarterly return from each local authority on complaints received and dealt with under the new arrangements.
- A comprehensive Annual Report was issued by the Standards Committee on its activities during 2007/08 (copy attached).
- The process for completing the Council's first Annual Governance Statement was taken to Standards Committee to establish their involvement in the process.
- Ethical health-check undertaken by Standards Committee in July 2007 and subsequently reviewed. This was informed by the Monitoring Officer who is an I&DeA Monitoring Officer Peer Reviewer and has participated on such health-checks of other authorities and developing best practice.
- The Council's Audit Committee self-assessed against best practice and the Cipfa guidance (toolkit).
- Regular reports and updates are made to every Standards Committee on whistleblowing disclosures, including where disciplinary action has been taken following whistleblowing disclosures. Whistleblowing is promoted via a poster campaign to staff and the public, and whistleblowing information is on the Council's website. The public are aware of whistleblowing procedures and a number of complaints have been received from the public. The Standards Committee has reviewed Anti-Fraud and Whistleblowing policies. These now include a Fraud Response plan and Fraud Awareness training (Standards Committee: July 2007). Regular 1:1 meetings scheduled between the Monitoring Officer and the Head of Internal Audit to review progress on whistleblowing and probity issues.
- The Council has developed 'intouch' which provides the ground rules for the way Members and Officers work within the Council. Intouch provides clear values and behaviours shared across all levels of the organisation.
- The Head of Internal Audit was instrumental in setting up the Heads of Internal Audit West of England Unitary and County Council Fraud Sub-Group and plays a key role in the success of the group.
- Issuing Fraud Bulletins / Alerts (copy attached) – endorsed by Members and Senior Officers i.e. Chair of Standards, Chair of Audit Committee, Lead Cabinet Member for Resources, the Chief Executive and the Group Director: Resources have all written introductions to the bulletin.
- One of the Council's Principal Auditors has been supported through the CIPFA Advanced Professional Certificate in Investigative Practice (APCIP).

3. What were the outcomes?

- **Demonstrate that its members and staff exhibit high standards of personal conduct:**
 - The public are aware of the members Code of Conduct and complaints are made on occasion to the Standards Board for England. These complaints are in general not taken further by the Standards Board which illustrates high standards of conduct overall.
 - The Officers Code of Conduct is working well and the section regarding ethics particularly the 'quick guide to making ethical decisions' has proved useful.
 - Members and Officers seek advice from the Monitoring Officer on issues such as declarations of interest.
 - A survey which went to all staff showed that nearly three-quarters of staff felt confident that a whistle-blowing complaint would be taken seriously and that over three-fifths felt safe in making a whistleblowing complaint. Local authorities do not generally obtain this evidence and we will use this information to improve confidence levels and perception as to the importance of high standards of personal conduct. In the same survey more than nine people in ten were aware of the rules on gifts and hospitality.
- **Updating ethical framework:**
 - New Code of Conduct for members and a new Code of Conduct for officers were issued. Other Codes and Protocols were reviewed in light of the changes made to the Code of Conduct for Members.
 - Participation in the Filtering Arrangement Pilots has better equipped the Standards Committee in relation to the implementation of the filter arrangements, and has enabled the Standards Committee to influence how those filter arrangements should be developed nationally.
 - The Audit Committee's self-assessment resulted in amendments to the Committee's terms of reference and the production of an annual report for 2007/08.
 - The development of Intouch (with significant input in the development from both officers and Members, including an online appraisal process ensures that staff and Members are given a consistent steer on behaviours, ethics etc
 - An annual review of the Council's Anti-Fraud and Whistleblowing Policies is undertaken, resulting in:
 - updated policies being presented, to and agreed by, Standards Committee.
 - the production of a Fraud Response plan and fraud awareness guide for managers that are being rolled out via senior management teams.
- **Promotion of high standards of conduct and ethics within the Parishes of Swindon**
 - The visits by a member of the Standards Committee to the Parish Councils have improved contact between the Standards Committee and Parish Councils and have improved working relationships and the awareness of the level of standards required and the need to maintain and improve high ethical standards in the Parishes within Swindon. In that context, training needs have been identified in relation to 3 parishes in particular which have led to a training session being arranged by the Monitoring Officer.
- **Track record of effective action in response to whistleblowing disclosures. That there are periodic reviews of the effectiveness of the arrangements, and effective arrangements for receiving and acting upon disclosures from members of the public**
 - As a result of an allegation made under the Council's whistleblowing policy a now former member of staff is the subject of a criminal prosecution.
 - There are regular updates to each meeting of Standards Committee on current whistleblowing complaints. The arrangements are reviewed annually. Complaints have been from members of the public and from staff as well as a number of anonymous allegations, which are also investigated so far as

circumstances permit.

- **Increase and promote awareness of the risk of fraud**

- Promotion of the whistleblowing policy to staff and the public through a poster campaign. Copies of the poster are on floors of each office and were issued to each Council establishment including libraries and schools.
- Fraud Bulletins (a copy of the March 2008 edition, introduced by the Council's Monitoring Officer is attached) continue to be issued approximately on a quarterly basis.
 - Other authorities have adopted the use of fraud bulletins; particularly the introductions by Members and Senior Officers as best practice and have been an engine of change regionally.
 - issued via the Council's Newsround – emailed to all staff with access to relevant IT. Where there are staff with no access requests are made to print out relevant items.
 - any cases of SBC related fraud are publicised in the bulletin i.e. HB Fraud etc. see page 3 of the March 2008 edition.

- **Ensure that investigations are carried out to a high standard following best practice**

- A Principal Auditor has obtained the Advanced Professional Certificate in Investigative Practice (APCIP) that ensures that Internal Audit follow best practice when undertaking investigations.
- The Head of Internal audit or one of the Principal Auditors manages each investigation ensuring that they are carried out in accordance with relevant legislation and best practice.
- Advice is always sought from the Council's legal team prior to the issue of any disciplinary report.

- **Share experiences of fraud with other authorities to ensure appropriate areas are covered in the audit plan**

- The Head of Internal Audit is the secretary of the Regional Fraud Sub Group which has continued to work well and the benefits include:
 - Joint auditor training on fraud awareness and investigations.
 - Development of a joint training programme on fraud related areas.
 - We have been able to share best practice regarding the issue of Fraud Bulletins being able to demonstrate Member and Senior Officer commitment that has now been adopted by other authorities.
 - Benefiting from guest speakers at the meetings including Nathan Nash (NFI Co-ordinator: Audit Commission), Jeff Jennings (Director: National Anti-Fraud Network).
 - Exchange of information on the level and type of recent frauds/scams that have occurred in individual member's Councils.

- **Learn from and promote best practice**

- Any lessons learned in relation to the member code of conduct are disseminated. The Monitoring Officer is joint author of the 4th and 5th editions of 'Knowles on Local Authority Meetings', which is the leading reference book on the subject, which includes guidance on ethics and standards.
- The participation by the Standards Committee in the Filtering Arrangement pilots enabled the Committee to provide feedback on pilots that was incorporated in the national guidance.
- The Regional Fraud Sub Group exchange best practice and areas of concern that are reflected in the Council's anti-fraud and corruption work such as IT Procurement; e-mail and internet use.

4. List and attach or provide a link to any outputs through which others can learn.
<ul style="list-style-type: none">• Copies of relevant doc's attached i.e. Annual Standards Committee Report, Fraud Bulletin; Agenda and minutes for Fraud Sub Group; Fraud Awareness Guidance; Fraud Response Plan copies provided.• Revised Code of Conducts for Members and officers are available on the intranet as are the updated Anti-Fraud and Corruption and Whistleblowing Policies, the Standards Committee Annual Report, together with the Agendas and supporting reports.
5. Is there evidence of value for money improvement?
<ul style="list-style-type: none">• High standards of conduct should result in less money being spent on investigating complaints of breach of the Member's code of conduct.• The Fraud Response plan should ensure that Internal Audit advice is sought at an early stage – this will ensure that any investigation is completed to the relevant standards in accordance with relevant legislation and best practice. Time will not be wasted or spent inappropriately by managers – the guide sets out the procedures to be followed.
6. Was there wider impact from the council's action?
<ul style="list-style-type: none">• The promotion of high standards of conduct and ethics within the Parishes of Swindon.• Ensuring that the Council follows best practice in regard to ethical standards for Members and Officers allowing the public to have confidence in the way that the Council conducts its business.• Investigations have been carried out to a high standard with cases going to and being upheld at disciplinary hearings and progression to Court. In the latter case the Police were happy to rely on statements and evidence provided by the section when presenting their case to the Crown prosecution Service.