

Ethical Framework Update

Standards Committee

Date: 21st July 2014

Author: Director of Law and Democratic Services

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To provide an update on various matters related to the Ethical Framework and to keep the Committee informed of issues of probity in the Council.

2. Recommendations

The Committee is recommended to:

- 2.1 Note the ethical framework update
- 2.2 Review the draft Annual Governance Statement and identify any additional significant control issues that it would like to be considered for inclusion in the Statement, prior to sign off by the Leader and Chief Executive in September 2014.

3. Detail

Dispensations

- 3.1 Section 33 of the Localism Act 2011 enables members who consider that they may have a disclosable pecuniary interest (DPI) to apply for a dispensation to allow them to speak and vote. No such dispensations have been granted by the Monitoring Officer in consultation with the Chair of the Standards Committee, since the last meeting.

Membership of the Standards Committee – Independent Persons

- 3.1 Further to Minute 22 2013/14, members are advised that the Monitoring Officer advertised for two Independent Persons, and circulated applications to Group Leaders for comment in accordance with the current agreed process, as a result of which Annual Council agreed that the term of office of Paul Morris be extended for a further 4 years, and that Keith Strickland be appointed for a 4 year term.

Membership of the Standards Committee – Co-opted Lay Members

- 3.2 Further to Minute 22 2013/14, the Committee is advised that Mr Trevor Davies and Mr David Dawson were appointed at the Annual Council meeting on 6th June 2014 as the co-opted lay members of the Standards Committee for the Municipal Year 2014/15.
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Annual Governance Statement

- 3.3 The Annual Governance Statement (AGS) is a formal statement that recognises records and publishes an authority's governance arrangements.
- 3.4 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 areas where improvement is required.
- 3.5 The Council has approved and adopted a local code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework for Delivering Good Governance in Local Government. This statement explains how the Council has complied with the code and also meets the requirements of regulation 4(2) of the Accounts and Audit Regulations 2003 as amended by the Accounts and Audit (Amendment) (England) Regulations 2011 in relation to the publication of a statement on internal control.
- 3.6 The guidance for the AGS requires the Council to set out its governance arrangements and key elements of internal control and the sources of assurance; a review of the effectiveness of those governance and internal controls and a requirement to identify significant governance issues.
- 3.7 As part of the document the Council must identify any areas of significant governance or internal control issues that have occurred during 2013/14. Potential areas for inclusion were discussed at Corporate Board. This included a review of last year's statement and agreeing whether any issues raised for 2012/13 could be taken off and whether any new issues needed to be included.
- 3.8 Guidance issued by CIPFA regarding the statement also recommends that a suitable independent management group should review the content of the AGS. The Council's Audit Committee will undertake this role. The Chief Executive and the Leader of the Council will sign the statement once the Audit Committee has approved it in September 2014, a draft will go to that Committee in July.
- 3.9 The draft Annual Governance Statement is set out in Appendix 1 to this report for information and in order to enable the Standards Committee to identify any additional significant control issues that it would like for inclusion in the Annual Governance Statement.

Induction Training

- 3.10 Three councillors elected in May 2014 had not previously been a member of the Council (Cllrs McCracken, Shelley and Swinyard). A further three councillors were elected who had previously been members of the Council (Cllrs Mary Martin, Parry and Shaw).

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- 3.11 An induction session was held on 23rd May 2014 to welcome them to the Council. They met the Chief Executive and other senior officers, and were given a brief presentation on the work and governance of the Council by the Monitoring Officer. A second induction session was held on 3rd June 2014, attended by all the new members at which the members received a presentation on Local Government Finance, Dealing with the Media, and the Ethical Framework.
- 3.12 These sessions were attended by a number of members including all the new members. Further committee-specific induction sessions will take place in due course.

Training – General

- 3.13 Attached at Appendix 2 are the details of proposed training events to be held over the 2014-15 Municipal Year. A log of member attendance at these events will be kept and reported to this Committee at a future meeting.
- 3.14 Members have previously been advised that discussions have taken place on the potential for additional training for Councillors. A report was considered by the Member Development Advisory Group at its meeting in April 2014 on member development and learning to support Councillors in carrying out their various roles, and revised induction proposals for newly appointed members. The Advisory Group also looked at the development of the new Overview and Scrutiny Committees and the training opportunities these presented. Work is progressing on enhancing the support and training offered to members as a result of these discussions, such as mentoring opportunities and hosting regular briefings on Committee-specific issues.
- 3.15 The Committee is reminded that, at present, a number of sessions are held by the Monitoring Officer each year around the parishes to train parish councillors on the ethical framework and chairing skills. Borough Councillors who are also parish councillors attend. As usual, attendance at these events will be logged and reported to this Committee at a future meeting.
- 3.16 A summary of training provided for Town and Parish Councillors, as at 26th June 2014, is attached at Appendix 3.

Register of Interests

- 3.17 After the May 2014 election, 20 councillors were either newly elected or re-elected to the Council. All 20 are expected to complete a new Register of Interests form for publishing to the Council's website, and for public viewing upon request.
- 3.18 At the time of writing this report, four of the 20 councillors had yet to complete a new form and return it to the Monitoring Officer. Reminders have been sent and responses are expected shortly. The existing 37 councillors were sent a letter on

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11 June 2014 asking them to refresh their declarations or to confirm that their current Register is still an accurate record. Responses are being received and the Register is being updated accordingly.

Workshop on the role of the Independent Person

- 3.19 Hoey Ainscough are holding one of their third annual series of regional workshops on the role of the Independent Person at the Civic Offices on Thursday 23 October 2014.
- 3.20 These are half-day workshops aimed at Independent Persons and officers who work alongside them on standards issues and is a unique opportunity to track year-on-year how the role is developing, get expert advice on current key concerns and share local experiences. The previous years' workshops were all very well received and have helped councils up and down the country develop strong working relationships between their IPs and the council, and the third series are intended to mark a further stage in the development of the role.
- 3.21 Although the normal cost of attendance would normally be £100 (plus VAT) per person, because Swindon is hosting one of the workshops we are provided with 3 free tickets to that workshop to enable the two Independent Persons and the Monitoring Officer to attend.

4. Alternative Options

- 4.1 Any alternative options are set out in the body of the report.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 Any financial or procurement implications will be contained within the existing budget.

Legal and Human Rights Implications

- 5.2 The legal and human rights implications, where applicable, are set out in the body of the report.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 There are no other implications that have been identified as important for this report.

Links to One Swindon, Plans and Policies

- 5.4 Monitoring of issues of probity in the Council underpins the Council's plans and policies and the delivery of One Swindon objectives.

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Diversity Impact Assessment

- 5.5 A Diversity Impact Assessment has not been completed for this report, as it does not recommend a change in Council policy or service.

Risk Management

- 5.6 A risk assessment has not been completed in relation this report, as it does as it does not recommend a change in Council policy or service. Arrangements for meeting the requirements of the Localism Act and monitoring probity of the Council, ensures that good governance is maintained and protects the reputation of the organisation.

6. Consultees

- 6.1 The Board Director Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – draft Annual Governance Statement
- 8.2 Appendix 2 – details of proposed training events to be held over the 2014-15 Municipal Year
- 8.3 Appendix 3 – summary of training provided for Town and Parish Councillors (as at 26th June 2014)