



ISLINGTON

Law and Public Services
Town Hall, Upper Street, London N1 2UD

Report of : Standards Committee

Meeting of	Date	Agenda Item	Ward(s)
Standards Committee	11 th October 2004		

Delete as appropriate	Exempt	Non-exempt
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Subject: REPORT BACK FROM THE THIRD ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

1. Synopsis

To report back from the Third Annual Assembly of Standards Committees held in Birmingham on the 13th and 14th September, 2004.

2. Recommendation

That the Committee note the report.

3. Details

- 3.1 The Third Annual Assembly was attended by well over 550 delegates from across the country, with a good mix of councillors, independent members and officers. The conference was extremely well organised with an excellent range of speakers over both days.
- 3.2 In addition to the main meetings, there were a range of workshops delegates could attend. Set out below are the comments of the Head of Scrutiny and Democratic Services who attended a selection of these.

LEGISLATION

- The Rt. Hon. Nick Raynsford M.P. stated in his address to the conference that the long awaited Section 66 regulations will be published within "a few days rather than a few weeks". Guidance from the Standards Board (SBE) will follow and will be on their website by the end of the month.

- The Standards Board will also be consulting in the next few weeks on any alterations or improvements that could be made to the existing Code of Conduct.
- Legislation is also promised in November which will allow authorities to provide indemnity insurance to meet the legal costs of members who have been the subject of a complaint that has been dismissed.

STANDARDS BOARD

- Head of Policy said it was SBE's view that no political Group should be in a clear majority on standards committees, and that independent members should at least hold the balance of power. SBE may move towards recommending that independent members should be in the clear majority, but will await the outcome of the current Graham Committee investigation into local government ethics before deciding whether or not to do so: this is expected towards the end of the year. [Sir Alistair Graham is Chair of the Committee on Standards in Public Life.]
- SBE Chairman, Sir Anthony Holland, placed great importance on security of tenure for independent members. They should not have to rely upon the good will of those they are monitoring in order to remain in office, since this might weaken their independence. Recommended tenure is two complete cycles (two Councils).

THIS IS A CHANGE OF POLICY. Previously, the policy had been a maximum of 2-4 years due to fears about agency capture, but those fears had proved to be unfounded. Independent members might have to choose between themselves if any of them should step down earlier than this to avoid them all stepping down at the same time. Expected time in office is thus now 6-8 years.

- The number of ESOs (Ethical Standards Officers) has recently been increased to four. Each has about 10-12 investigating officers reporting to him/her. A special team has been brought in to deal with the backlog of complaints which should all be cleared by March 2005, which is currently running at 6-8 months.
- About 300 complaints per month are being received by SBE, about two thirds of which are not referred for investigation. The number of complaints received from members of the public is growing: currently about 200 per month; complaints from Members are about half of this with a small number from officers.
- SBE will not be investigating, or referring for investigation, complaints which are of a political points-scoring or tit-for-tat nature (in other words, such things will be thrown out virtually as soon as they have been received).
- SBE will look again at their practice of naming, on their website, individual members who had been complained against even though those complaints had been dismissed. Their reasons for currently naming them are openness and transparency.

- There is a new case summary area on the website, which allows searches by subject rather than just by Authority.
- SBE will be holding a number of roadshows in 2005. It is planned that there will be separate sessions for Chief Executives and Leaders, Monitoring Officers and standards committee members across 12 venues. Authorities will be contacted about these in the new year.
- Toolkits are being produced in co-operation with outside bodies (IDeA, Audit Commission) to enable local authorities to monitor the penetration of ethical governance within their own organisation and to assist with training.

LOCAL CASES

- It is expected that about a half of all complaints which are investigated will be dealt with at local level: either by local investigation and determination or by national investigation and local determination.
- The first hearing by a SC took place on 1st September 2003.
- 39 hearings by SCs had taken place by the end of April 2004. In 37 of these, they decided that the Code had been breached: in 17 of those, the member was sanctioned; in 17 there was suspension for a period ranging from one week to three months; in the rest, there was no sanction because of mitigating factors.

AUDIT COMMISSION

- AC has identified ethical behaviour and standards of conduct as a risk area and key component of good corporate governance.

Independent Chair has been identified as an indicator which AC will look at as part of the CPA (Comprehensive Performance Assessment).

Signed by _____ Date _____
 Chair of Standards Committee

Received by _____ Date _____
 Head of Scrutiny and Democratic Services

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