

STANDARDS COMMITTEE OF THE LONDON BOROUGH OF ISLINGTON

SECOND ANNUAL REPORT – SEPTEMBER 2004

INTRODUCTION

I have great pleasure in presenting our second annual report to the Council on the work of the committee.

What have we been doing?

Indicators

The committee have received quarterly reports on a number of indicators which have helped us gain a better understanding of what has been going on in the authority overall. These indicators looked at District Audit Public Interest Reports; objections to the Council's accounts; referrals and investigations undertaken by the Standards Board; number of whistleblowing incidents reported; number of challenges to procurements, industrial action taken; number of employment tribunals received and settled and the number of Ombudsman complaints received and settled.

These indicators have helped us gain an impression of the ethical health of the authority, which having looked at the information over the last year, the committee considers to be in a good state.

We are the only Standards Committee in the country that regularly looks at such information and have been cited by the Standards Board as a model of good practice.

Standards Board

Many of you will have been aware of the publicity in the local government press surrounding the Standards Board and the time taken to deal with complaints submitted to them.

The Board have now appointed a new Chief Executive, David Prince, whose background is in local government, together with a new investigation team. The Board's priority for the coming year will be speeding up the throughput of cases they receive.

We responded to the Government's consultation paper on the proposed local investigation regulations, which would allow local committees to hear and determine cases which had been passed to them by an Ethical Standards Officer *before* the case had been investigated by him. However we are still awaiting the regulations to be published by the Government.

During the course of the year, regulations governing the conduct of cases referred to the Standards Committee *after* the ESO has investigated the case were published. In such circumstances, the role of the committee is to consider the ESO's report and, if it agrees with the findings, to decide what sanction, if any, should be applied to the member concerned. We have agreed a procedure to deal with these cases, based on the model issued by the National Standards Board. We also ran a very successful training session for the committee using an external facilitator, Peter Keith Lucas from Wragge and Co., on how we would hear such cases.

Referrals to the Standards Board

During the last year the Standards Board have considered six new cases in relation to Islington Councillors only one of which was investigated. The Board recommended that no further action be taken in this case.

Independent Member

I am pleased to welcome Mr. John Gilbert as an independent member to the committee who's appointment was approved by Council at their last meeting. He replaces Paul Najsarek who resigned in January due to taking up a role with the L.B. Harrow. I would like to thank Paul for all his work and contribution to the committee and wish him well in his new role.

Indemnity Insurance

It was a concern of many when the Code of Conduct was introduced together with its enforcement framework, that members may feel it necessary to use the legal profession to defend themselves against allegations of breaches of the Code, depending on the seriousness of the allegation.

Given the potentially serious consequences of a finding that there has been a breach of the Code, the use of formal legal representation was not considered to be unreasonable. Clearly for those members who did face serious allegations and used legal resources to defend themselves, this could place a particularly unfair financial burden on members.

The committee discussed this matter in detail and asked the Corporate Services Committee to consider whether the Council should take out insurance on behalf of all members to cover legal costs they may incur in defending themselves against allegations of breaches of the Code of Conduct or wait until the Government made a statutory order covering the position in relation to indemnity and insurance for members generally.

The Corporate Services Committee agreed at their meeting on 18 September 2003 to take out insurance with Zurich Municipal.

I am pleased that the committee was the catalyst for this issue being raised and agreed by the Council. I understand that the Government will make an order in the autumn of 2004 specifically empowering the Council to give indemnities to both member and officers in relation to costs incurred in the course of their duties. We shall consider the Order when it is made with a view to making recommendations as to its implementation to Corporate Services Committee.

Updates

All members of the Standards Committee now receive monthly e-mail bulletins from the Standards Board which gives information on case summaries from across the country together with more general information on the Code of Conduct.

Conclusion

I would like to thank all members of the committee for the open and constructive discussions we have had at our meetings which have been carried out in a positive manner. I would also like to thank all the officers who service this committee and officers from other departments who have come and informed and helped our work from time to time.

Next year could be a busy one for the committee if we consider any cases at a local level. However, we are confident we are prepared to deal with that challenge.

Father Jim Kennedy
Chair of the Islington Standards Committee