

STANDARDS COMMITTEE

18 April 2005

CODE OF CONDUCT AND RELATED ISSUES – REVIEW OF 2004/05

REPORT OF CITY SECRETARY AND SOLICITOR

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

This report provides an 'end of term' review of Standards issues generally, covering matters which have arisen in the past year and setting out a framework for the Committee's activities in 2005/06.

RECOMMENDATIONS:

- 1 That the Standards related activities undertaken during 2004/05 be noted.
- 2 That, in addition to meeting other training needs which may arise, two Code of Conduct training evenings continue to be held each year, one for City Councillors and one for Parish Councillors/Clerks.
- 3 That the Independent Members and Parish Representatives be requested to undertake further evaluation of committee meetings during 2005/06, to provide ongoing monitoring regarding the level of compliance with the Code of Conduct and good meetings practice generally.
- 4 That the Committee considers whether there is any other form of monitoring of the Council's ethical framework, or Standards related work, which it would wish to see undertaken.
- 5 That, subject to 4 above, the work programme for the Committee in 2005/06 be approved.



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### CODE OF CONDUCT AND RELATED ISSUES - REVIEW

#### REPORT OF CITY SECRETARY AND SOLICITOR

#### DETAIL:

##### 1 Introduction

As this meeting will be the last in the Municipal Year and also the last with the current membership of Independent Members and Parish Representatives, it is a good opportunity to review the past 12 months and highlight those issues which the Standards Committee will need to address in 2005/06 and beyond.

##### 2 The Standards Committee – Future Membership

2.1 The Special Committee established by Council to make recommendations about future appointments to the Independent Members and Parish Representatives positions, met on 31 March 2005. In addition to making the appointment recommendations, the Committee also proposed that the future make-up of the Committee should be six City Councillors, four Independent Members and three Parish Representatives, with the Chairman being one of the Independent Members and the Vice Chairman being the Deputy Mayor.

2.2 Having an Independent Chairman and non-Councillors in the majority would accord with the emerging Standards Board advice. All the recommendations will be considered by Council on 13 April 2005.

##### 3 The Code of Conduct - City Council

3.1 In terms of administering Council and committee meetings, there have been relatively few problems in the past year and, generally, Members have demonstrated a good understanding of the Code of Conduct when undertaking their role.

##### 4 The Code of Conduct – Parish Councils

4.1 The last year has seen further development of the good working relationship between officers and Parish Clerks regarding Code of Conduct issues. Many of the more 'interesting' issues occur at parish level and this joint working has helped to improve the expertise of all concerned, resulting in more consistent advice and good practice throughout the District.

##### 5 Inspection of the Registers of Interests

5.1 During 2004/05, there has been one request from the public to inspect the Register of Members Interests for City Councillors and none for Parish Councillors.

##### 6 Training

- 6.1 On 20 July 2004, a course was held regarding Material Considerations in Planning, which was attended by 16 Councillors (including 11 out of a possible 15 from the Development Control Committee). The course scored an average of 4 (Good) from the feedback forms in a range of 1-5 for the content and presentation.
- 6.2 A Probity and Ethics training evening for City Councillors, covering the Code of Conduct, planning probity and local protocols, was held on 27 July 2004. In total, 18 people attended – four Councillors new to the Authority, nine existing Councillors, three TACT representatives, plus one Independent Member and one Parish Representative from this Committee. Again the feedback forms achieved an average of 4 (Good).
- 6.3 On 7 September 2004 a training evening was held regarding the Licensing Protocol and the Licensing Act 2003. A total of 24 Members attended (including 12 out of a possible 15 from the Licensing and Regulation Committee). A follow-up session with an external trainer, looking principally at decision making under the Act, was held on 11 November 2004 and 29 Members attended. Average feedback for both sessions was again scored at 4.
- 6.4 The annual Code of Conduct training evening for Parish Councillors and Clerks was held on 8 July 2004 at Bishops Waltham. Although only seven parishes were represented, many interesting issues were raised and the general level of awareness was encouraging.
- 6.5 The Monitoring Officer has attended a number of seminars during the past year, to remain updated on key issues. He also attended the Standards Board Roadshow in Southampton last month, in company with the Chairman and Prof. Johns.
- 6.6 For 2005/06, it is proposed to again hold training evenings for both City and Parish Councillors, plus sessions on the Planning Protocol. The Planning Material Considerations training will continue annually, again with particular emphasis being placed on attendance by all those serving on Planning Development Control Committee. There will also be the need to provide training for the new Independent Members and Parish Representatives once appointed.

## 7 Monitoring of Committee Proceedings by Independent Members

- 7.1 These visits were introduced in 2002/03 and meetings of Cabinet, Planning Development Control, Licensing & Regulation and Principal Scrutiny Committees have been monitored in the past. No monitoring was undertaken during 2004/05 but it is proposed to agree a programme of inspection for 2005/06.

## 8 Work Programme for 2005/06

- 8.1 The following issues are likely to require reports to the Committee in the forthcoming Municipal Year:-

- Review of experience of previous cases
- Conclusion of review of Planning Protocol
- Consideration of Government's proposals on Employees Code – when available
- Comments on Standards Board consultation on revisions to the Model Code
- How does the Council ensure that good practice is embedded?
- Review/update of other local protocols

8.2 These issues will be in addition to any individual cases referred by the Standards Board for local consideration.

## 9 Conclusion

9.1 The general awareness and understanding of the Council's ethical framework continues to improve, as both City and Parish Councillors/Clerks gain a better appreciation through training and experience.

9.2 The relatively few referrals to the Standards Board from this District is encouraging and we have certainly not experienced the high levels of complaints of some authorities.

9.3 However, there is no room for complacency and with the Government giving a strong indication that Corporate Governance (which includes probity and ethics) will be given a high priority in the next Comprehensive Performance Assessment, there is always more that can be done to increase awareness and ensure that the highest probity standards are being applied in all aspects of the Council's work.

9.4 As always, the limited resources of a shire district such as Winchester means that we will have to continue to concentrate on the absolute priority areas of work, which are essential to maintaining and improving standards throughout the District.

## OTHER CONSIDERATIONS:

10 CORPORATE STRATEGY (RELEVANCE TO): The Council to be more open and democratic in its work

11 RESOURCE IMPLICATIONS: There would be an increase in costs should more training sessions be held but, provided that the increase in the number of courses was not excessive, existing budgetary provision for training purposes should be adequate. If a significant number of cases are referred for local determination then this could have an impact upon resources.

BACKGROUND DOCUMENTS: None