

STANDARDS COMMITTEE

29 March 2010

STANDARDS FOR ENGLAND - ANNUAL RETURN 2010

REPORT OF CORPORATE DIRECTOR (GOVERNANCE)

Contact Officers: Stephen Whetnall/Chris Ashcroft Tel No: 01962 848220/848284
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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

Each year Standards for England seeks an annual return from every Monitoring Officer regarding the operation of standards in his/her authority. This year a significant number of questions have changed and so the questionnaire has been sent out in advance of the normal deadlines, partly to allow a little extra time for completion and partly to allow an opportunity for standards committees to be involved in the process.

The questionnaire is attached as Appendix 1 and the proposed responses have been shown as track changes. The comments of Members on those responses are requested.

RECOMMENDATIONS:

1. That the Committee considers the proposed responses to the Standards for England Annual Return 2010 and makes comments as necessary.
2. That the Corporate Director (Governance) be authorised to finalise the submission in 1. above and incorporate any amendments as agreed.

OTHER CONSIDERATIONS

CORPORATE STRATEGY (RELEVANCE TO):

An Efficient and Effective Council.

RISK MANAGEMENT ISSUES

None

RESOURCE IMPLICATIONS:

None

BACKGROUND DOCUMENTS:

None

APPENDICES:

Standards for England – Annual Return 2010

Annual Return 2010

This document is a list of the questions you will be asked in our 2010 Annual Return. The Annual Return will be an online form, accessible via our website. When we launch the online version you will be able to use the same login details that you use when accessing the quarterly return.

We have provided you with the questions early so that you can prepare in advance of the submission window, which will be either late March or early April 2010. An announcement containing the exact details of this will be made at a later date.

This will hopefully give you the opportunity to discuss the questions with your standards committee and other parties as necessary.

For those of you who completed last year's annual return, you will notice that only a handful of the questions are the same. We have made some significant changes to enable us to gather new information about how the local standards framework is functioning. There are 5 sections this year, communication, influence, training and support, investigations and a section only for authorities with parishes.

As with last year, the information you give us will feed into our Annual Review and we will be looking for items of notable practice to share with the standards community. We will once again be sharing your responses with the Audit Commission, to help inform their organisational "Use of Resources, Key Line of Enquiry" assessment.

When considering the questions, please refer to the guidance notes, as they will give you more details about the question and how to answer it.

If you are unsure about anything in this document, please contact our monitoring team on 0161 817 5300 or by emailing authorityreturns@standardsforengland.gov.uk.

PART 1: COMMUNICATION

The main roles of a standards committee are:

- to promote and maintain high standards of conduct by members
- to assist members in observing the Code of Conduct.

Your responses to this section will help us to collect examples of the different ways that standards committees communicate messages about ethical standards, both within the authority and to the wider public.

Annual Report

1) Does the standards committee produce an annual report?

YES/NO. If yes go to q2. If no go to q4

2) What does the report contain?

- A personal statement by the standards committee chairman – No, but this will be considered for the next report.
- Information about the members of the standards committee – No, but this is available on the website at <http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/Committees/Committee.asp?id= SX9452-A77F78C3>
- The role of the standards committee – No, but this is available on the website at the [above link.](#)
- The standards committee terms of reference – No, but this is available on the website at the [above link.](#)
- Information about the Code of Conduct – No, but this is included on the website from the [above link at <http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/CodeofConduct->](#)
- Statistical information about complaints that have been received – Yes
- Information about the length of time taken dealing with complaints – No, but this will be included in for report on 2009-10.
- A summary of complaints which have led to investigation, sanction or other action – Yes

- Details about training/events provided - Yes
- The forward work plan of the standards committee - Yes
- Other (You will be asked for more details if selected)-

Relevant extracts from Use of Resources Assessment:

Annual Return to Standards Board-

3) How is the standards committee annual report circulated?

Note: If your return is not on the website please forward a copy to us. See the guidance notes for details.

- Sent to all senior officers - Yes
- Sent to all members - Yes
- Sent to parish/town councils (This is only displayed if your authority is applicable) - Yes - with Standards Committee agendas
- Available on the authority intranet - No, as the Council does not repeat information already on the public website
- Available as a specific item on the authority website (You will be asked for the website address if selected) Yes - website link at <http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/Committees/Committee.asp?id= SX9452-A77F78C3>
- Available in the standards committee papers published on the authority website (You will be asked for the website address if selected) - Yes - <http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/Committees/CommitteeMeeting.asp?id= SX9452-A7844950&committee=795>
- Included as a full authority meeting agenda item - No
- Publicised in local newspaper / press release - No
- Distributed to households - No
- Available at authority offices - Yes
- Not circulated outside of the standards committee - No
- Other (You will be asked for more details if selected) - Not applicable

Publicising Complaints

4) How can the public access information about how to make a complaint against a member?

- Through a 'compliments and complaints' type section of the council website (You will be asked for the website address if selected) - Yes - web link at <http://www.winchester.gov.uk/CouncilAndDemocracy/CorporateComplaints/>
- Through the standards committee section of the website (You will be asked

for the website address if selected) – Yes
– web link at
<http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/CodeofConduct/>

- Complaints leaflets available from the authority - Yes
- Included as part of a council newsletter – Yes
– from time to time
- Advertised through parish councils - Yes
- Information is not available to the public - No
- Other (You will be asked for more details if selected)

Notice Board leaflet

5) **How can the public access information about the outcome of initial assessment decisions?**

- Written summary available for public inspection - Yes
- Press release issued for all initial assessment decisions - No
- Press release issued only if the subject member agrees - No
- Assessment decisions published on the authority website - No
- Articles published in the authority newsletter - No
- Other (You will be asked for more details if selected) - —

The authority has adopted a similar approach to that adopted by the Standards Board when it was responsible for filtering complaints.

6) **How can the public access information about the outcome of investigations?**

- Hearings are open to the public - Yes
- Press release issued for all investigation outcomes - No
- - press attend or ask for minute through press office.
- Press release issued only if the subject member agrees - —
- - No - press attend or ask for minute through press office.
- Published on the authority website - Yes
- Decision notices are available for public inspection - —

Yes

- Articles in the authority newsletter - No
- Other (You will be asked for more details if selected) Not applicable

7) **Do you have a mechanism in place for measuring the satisfaction of all those involved in allegations of misconduct? For example the member, complainant and witnesses.**

YES/NO. If yes go to q8. If no go to q9

8) **If yes, please can you describe the process?**

Open question

Communicating the role and work of the standards committee and standards generally

9) What does the authority do to promote the work of the standards committee and standards generally to the rest of the authority (i.e. internally)?

- Dedicated standards committee pages on intranet – No, the Council uses the public website pages where possible, rather than the intranet. Specific messages sent by Member or Staff bulletins.
- Standards committee has its own newsletter / bulletin- No – information is sent through Members or Staff Bulletin, or committee papers, as appropriate.
- Standards committee issues briefing notes - No – information is sent through Members or Staff Bulletin, or committee papers, as appropriate.
- Articles in employee newsletter / bulletin - Yes
- Standards committee independent members **observe** other authority meetings - Yes – insert link to ST80.
- Standards committee independent members **contribute** to other authority meetings (*a box will appear to ask for further details about what kind of contribution*)- No – but Members of other committees eg Planning come to discuss items of common interest as appropriate eg Planning Code
- Other (*you will be asked for more details if selected*) – Not applicable

10) How can the public access information about your standards committee?

- Dedicated standards committee section on the authority website (*you will be asked for the website address if selected*) – No – within Council and Democracy Section.
- Within 'council and democracy' type section of website (*you will be asked for the website address if selected*) Yes – web link <http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/Committees/Committee.asp?id= SX9452-A77F78C3>

- Ethical standards issues have been included in the local press / media

Yes – in relation to specific complaints.

- Standards committee minutes, agendas, and reports are available to the public – Yes –

web link at
<http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/Committees/Committee.asp?id=5X9452-A77F78C3>

- Leaflets and/or posters are placed in public buildings –

Yes

- Places articles in the authority newsletter / bulletin / other publication –

Yes

- Standards committee meetings are observed by members of the public –

Yes – on some instances when a hearing has occurred.

- Information is not available to the public – No

- Other (*you will be asked for more details if selected*) – Not applicable

11) What else does the authority do to promote the work of the standards committee and standards generally to the public and other partners?

Open question
Information on the complaints procedure is contained on the website and advice is given to individuals who wish to make a complaint. Guidance is provided on request on particular issues on a regular basis to parish clerks/chairmen. An annual training session is also provided for parishes. A guidance note is available for Members concerning their role on outside bodies and in relation to grant applications. Further guidance on partnership working is also currently under preparation.

PART 2: INFLUENCE

A key factor in creating a strong ethical framework in authorities is clear ethical leadership from leaders and chief executives, setting the tone for the rest of the organisation.

Your responses to this section will help us to understand how closely your standards committee works with political and officer leadership in the authority, and the ways in which the leadership encourages strong ethical standards.

12) How does the standards committee communicate ethical issues to the senior figures within your authority (for example the Chief Executive and Leader of the Authority, Party Leaders)?

- Formal meetings between standards committee members and senior figures specifically set up to discuss standards – Yes
a system has been established for an annual meeting between the Chairman of the Committee, Chief Executive and Group Leaders – the first of which will take place after the monitoring report (ST80) by independent/parish members.
- Informal discussion on particular standards issues – Yes
- Senior figure attendance at standards committee meetings – Yes
- Monitoring Officer is a member of or attends Corporate Management Team (or equivalent) meetings – Yes
- Executive or senior member has portfolio responsibility for standards – Leader
- Chair (or other standards committee member) addresses full authority meeting(s) – Yes
Vice Chairman takes the lead for the Committee at full Council.
- Other (you will be asked for more details if selected) Not applicable

13) How do the senior figures in your authority demonstrate strong ethical values?

- Through a strongly promoted whistle-blowing policy – Yes
– update training provided to all senior managers in 2009.
- By ensuring there are references to ethics in the authority vision / objectives – Yes
- Demonstrating appropriate behaviours – Yes
- Senior figure(s) makes personal commitment to standards in statements to

public/employees Yes

- Other (you will be asked for more details if selected) Not applicable

14) Does your authority have a protocol for partnership working that outlines the standards of behaviour expected of all those working in partnership?

YES/NO - but it has guidance on members on outside bodies and grant applications. Further partnership guidance currently under preparation.

15) What mechanisms does the authority use for dealing with member/officer and/or member/member disputes?

- Informal discussion/mediation - Yes
- Monitoring Officer mediation - Yes
- Chair of standards committee mediation - No
- Senior figure mediation (e.g. Chief Executive) - Yes
- Advice from Human Resources department - Yes
- Solicitor / legal adviser consulted - Yes
- Informal hearing - No
- No mechanisms other than normal complaints process =

See above

- Other (you will be asked for more details if selected) =

Not applicable

PART 3: TRAINING AND SUPPORT

A specific function of a standards committee is to train members on The Code of Conduct, or arrange for such training. A standards committee can also arrange training on the local standards framework. Your responses to this section will help us to form a view about what the most common topics and methods of training are so that we can share them with the rest of the standards community.

16) Between 1 April 2009 and 31 March 2010, has the authority assessed the training and development needs of authority members in relation to their responsibilities on standards of conduct?

YES/NO. If yes, go to q18. If no, go to q17

17) If no, please give your reasons why?

Open question. Go to q19 Not applicable

18) If yes, what needs were identified?

- Introduction to the Code of Conduct - Yes
- Elements of the Code of Conduct - Yes
- The role and responsibilities of the standards committee - Yes
- Ethical governance/behaviour - Yes
- None - Not applicable

19) What training/support was provided during the period 1 April 2009 to 31 March 2010?

- Introduction to the Code of Conduct - Yes
- Elements of the Code of Conduct - Yes
- Role and responsibilities of the standards committee - Yes
- Ethical governance/behaviour - Yes
- Other (You will be asked for more details if selected) - Planning Protocol and Planning Probity-
- None (go to q25) - Not applicable

20) Who received training/support?

- Standards committee chair - Yes
- Independent members - Yes
- Other standards committee members - Yes
- All authority members - Yes
- Specific authority members with particular needs (e.g. new members, planning committee members) - Yes
- Other (you will be asked for more details if selected) - Not applicable

21) What methods were employed to give training/support?

- Internal training (presentations/seminars/workshops) - Yes
- External trainer/speaker - No
- One on one training - Yes
- Joint/regional training event - No
- Online learning - No
- Guidance notes/briefing materials - Yes
- Standards for England materials - Yes
- Ethical governance toolkit - No
- Other (you will be asked for more details if selected) - Not applicable

22) In which areas of the Code of Conduct has training/support been provided?
(Only displayed if 'elements of the Code of Conduct' is selected at q19)

- Respect - Yes
- Personal/Prejudicial Interests - Yes
- Use of resources - Yes
- Bullying - Yes
- Disrepute - Yes
- Predisposition, Pre-determination and bias - Yes
- Equality - Yes
- Confidentiality - Yes
- Other (you will be asked for more details if selected) Not applicable

23) What other training/support has been provided on areas of an authority member's role or activities they may engage in?

- Chairing skills - Yes
- Lobbying - Yes
- Predetermination, Predisposition and bias - Yes
- Blogging and/or the use of social media - Yes

See Report ST82 on this agenda

- Electioneering - Yes
- Freedom of Information (FOI) - No
- Other (*you will be asked for more details if selected*) Not applicable
- None Not applicable

24) In general, how well attending was the training provided?

- 75% or more of those invited - No
- 50-75% - Yes
- 25-50% - No
- 0-25% - No

25) Please give a brief overview of how standards issues are covered in your induction process for new members of the authority?

Open question-
Induction comprises
two general overview
evenings for new
members. More
specific courses are
then provided on a)
Code of Conduct b)
Planning Protocol c)
Material
Considerations
d) Licensing
by end of June.

26) In which areas of the role and responsibilities of the standards committee has training/support been provided for standards committee members? Please tick all that apply. (Only displayed if 'role and responsibilities of the standards committee' is selected at q19)

- Initial assessments - Yes
- Other action/mediation - Yes

- Reviews - Yes
- Investigations - Yes
- Hearings - Yes
- Sanctions - Yes
- Other (you will be asked for more details if selected) Not applicable

PART 4: INVESTIGATIONS

27) How many investigations have been conducted during the period 1 April 2009 - 31 March 2010?

Enter number 4

If the answer is '0', go to q33 (only if your authority is parished). If you do not have parished you will have completed the questions.

If the answer is '1' or more go to q28

28) Of the investigations completed during the period, for how many have external investigators been used?

NOTE: This includes employees of other authorities

Enter number None

29) Overall, what was your principle reason for out-sourcing the investigation(s)? (Only appears the number given in question 28 is more than 0) Not applicable

- Impartiality
- Lack of staff resources
- To complete the investigation sooner
- Skills required
- Cost
- Other (you will be asked for more details if selected)

30) What type of external investigator(s) did you use? Not applicable

- Employee of another authority
- Self-employed investigator
- Private law firm
- Other (you will be asked for more details if selected)

31) For the period 1 April 2009 to 31 March 2010, what was the approximate total cost of fees paid to the external investigator(s)?

Open question (for an amount) – Not applicable

32) Please provide a brief overview of the processes you have in place to ensure the quality of local investigations.

Open question – Use Standards Board materials for guidance and template. Internal review by another officer of draft reports. Comments by Members of the Standards Committee or other parties on contents of reports are used as lessons learnt for the future.

PART 5: RELATIONSHIPS WITH PARISH AND TOWN COUNCILS

(You will only be asked these questions if your authority has parishes)

We recognise the value of the vital role parish councillors play in representing their communities. Your responses to this section will help us to build a clearer picture of the level of support and communication between principle and parish/town councils.

33) Has your authority provided training for parish councillors during the period 1 April 2009 to 31 March 2010?

YES/NO: If yes go to q34. If no go to q37

34) If yes, what topics did the training cover?

- Freedom of Information (FOI) – Not in detail
- Confidential information - Yes
- Planning - Yes
- Lobbying - Yes
- Dual-hatted members - Yes
- The Code of Conduct generally - Yes
- Personal and prejudicial interests - Yes
- Bullying - Yes
- Other (you will be asked for more details if selected) Not applicable

35) What methods were employed to give training/support?

- Internal training (presentations/seminars/workshops) - Yes
- External speakers - No
- One on one training - Yes
- Joint/regional event - No
- Guidance notes/briefing materials - Yes
- Standards for England's materials - Yes
- CALC speakers - No
- Part of wider parish liaison meeting - No

Other (you will be asked for more details if selected) Not applicable

36) In general, how well attended was the training for parish councillors?

- 75% or more of those invited - No
- 50-75% of those invited - No
- 25-50% - No
- 0-25% Yes

37) Has your authority provided training for parish clerks during the period 1 April 2009 - 31 March 2010?

YES/NO If yes got to q38. If no go to q41

38) What topics did the training for parish clerks cover?

- Freedom of Information (FOI) - Not in detail
- Working with confidential information - Yes
- Planning - Yes
- Lobbying - Yes
- Dual-hatted members - Yes
- The Code of Conduct generally - Yes
- Personal and prejudicial interests - Yes
- Bullying - Yes
- Other (you will be asked for more details if selected) Not applicable

39) If yes, what methods were employed to give training/support to parish clerks?

- One on one training - Yes
- Internal training (presentations/seminars/workshops) - Yes
- External speakers - No
- Guidance notes/briefing materials - Yes
- Standards for England's materials - Yes
- Joint authority/regional event - No
- Other (you will be asked for more details if selected) - Not applicable

40) In general, how well attended was the training for parish clerks?

- 75% or more of those invited - No
- 50-75% of those invited - No
- 25-50% - No
- 0-25% - Yes

41) Does your council have a COMPACT (a formal agreement with your county Association of Local Councils about supporting standards for parish and town councils in the area)?

YES/NO

42) Describe the relationship between your authority and your County Association of Local Councils in relation to standards. For example, how regularly do you interact with them? Are you involved in delivering joint training?

Open question_
Regular liaison takes
place on specific
issues. CALC also
provide their own
training courses which
greatly assists. We
encouraged
participation in our
training sessions and
this used to take place.
However, due to
expansion of their own
programme this is no
longer possible.-

43) Standards for England and Teesside University are currently researching the role of the Parish Liaison Officer. Teesside University have created a brief questionnaire to assess the organisational background, functions and skills needed to carry out the Parish Liaison role. Does your authority have a Parish Liaison Officer?

YES/NO/No but there is someone who fulfils the same functions

If yes or someone who fulfils the same functions go to q44. If no go to q45

44) Does the Parish Liaison Officer (or the person who fulfils the same functions) consent for the University of Teesside to contact them to complete a brief questionnaire about their role?

YES/NO If yes you will be asked the details below. If no go to q45.

If yes, please provide contact details (where there are multiple Parish Liaison Officers, just provide one contact):

Name: Eleanor

Hodge

Corporate

Communications

Manager

Contact address: City

Offices, Colebrook St,

Winchester SO23 9LJ

Contact phone: 01962

848504

Email address:

ehodge@winchester.go

v.uk

45) What steps have you taken when dealing with parishes which have had problems with standards issues? For example, what preventative or capacity building work have you done with parishes?

Open question_
Guidance to parish
clerks/chairman on
specific issues.

46) Which of the following areas would you like Standards for England to produce additional guidance on to support your work with parishes?

- Lobbying - Yes
- Predetermination and bias - Yes
- Planning and interests - Yes
- Dual-hatted members - Yes
- Other (you will be asked for more details if selected) -

The Role of the Clerk