

TAUNTON DEANE BOROUGH COUNCIL

STANDARDS COMMITTEE – ANNUAL REPORT 2007

Introduction

The Council's Standards Committee has been in operation since 2000. Although our meetings are open to the public, the minutes available on the web site and we publish regular updates in the Weekly Bulletin, we feel it good practice to produce an annual report so that members of the Council and the public are aware of our activities.

2008 will be an eventful year for us. New legislation will place responsibility for the standards agenda right at the heart of local government. It introduces a locally managed framework of compliance with the Code of Conduct and a new strategic role for the Standards Board for England.

Local Standards Committees will, in future, be responsible for making initial assessments of allegations of misconduct and will handle most cases locally. The Standards Board for England will provide, support, supervision and guidance and aim to ensure a degree of consistency.

Membership

The Committee has always ensured that it has a majority of independent members who are not connected with the Council. We have also always ensured that Chair is chosen from those independent members. This will now become a requirement of all Standards Committees but is something we have been practising since the Committee's inception.

We also have two Parish Council representatives and one councillor from each of the political groups.

The last year has seen a number of changes in our membership. John Dewdney and David Gollin both left as independent members. They were replaced, following public advertisement and circulation of the vacancies amongst charitable and voluntary bodies and we are pleased to welcome Jenny Hoyle and Dick Macey to the Committee. Councillors Colin Croad and Mary Whitmarsh also stepped down and we are equally please to welcome Councillor David House. Both parish representatives came to the end of their term of office and the parishes are now represented by Mike Marshall and David Wilson.

The full membership of the Committee is as follows:-

David Baker OBE (Chair)
Anne Elder (Vice Chair)

Dick Macey JP
Jenny Hoyle JP
W Lynn Rogers
Harold Inder
Maurice Stanbury

Parish representatives:
Mike Marshall
David Wilson

Council representatives:
Councillor Mrs Allgrove
Councillor Slattery
Councillor House

We are supported at our meetings by the following officers:- Jeremy Thornberry (Monitoring Officer), David Greig (Parish Liaison Officer), Greg Dyke (Democratic Services Manager) and Donna Durham (Review Support Officer)

Terms of Reference

Our terms of reference remain unchanged but this is something we will be giving some detailed attention following the introduction of local regulation. Our current terms of reference are:

- (a) To advise on the adoption and monitoring of the new local Code of Conduct for members
- (b) To be responsible for training of councillors on ethical conduct
- (c) To promote and maintain high standards of conduct in the Authority and assist the Authority's members to observe the Code of Conduct

Functions of the Committee

In accordance with Section 54 of the Local Government Act 2000, the Committee is responsible for:-

- (a) promoting and maintaining high standards of conduct by the members and co-opted members of the Authority; and
- (b) assisting members to observe the Code of Conduct;
- (c) advising on the adoption of the Code of Conduct;
- (d) monitoring its operation; and
- (e) advising, training or arranging to train members on matter relating to the Code.

Review of the Year

We have developed and strengthened our links with Parish Councils during the year. This is something we have aspired to for a while and we consider we have made great progress in this area. A separate section of this report gives more detail of this topic.

We are conscious of the need for members of the Committee to be as well trained and up to date with developments as possible. With this end in mind we have been represented at the Annual Assembly of Standards Committees, attended Standards Board for England Roadshows and maintained a presence at meetings of the South West Independent members Group. Indeed, Taunton Deane hosted one such meeting in September. Joint training with Sedgemoor District Council has been provided on the operation of a new filtering regime to be introduced in April 2008 and in January the entire Committee will be taking part in a training event where the new local arrangements will be the theme. All these things have allowed us to hear from officers of the Standards Board for England, the appropriate Government Minister and to share good practice with our colleagues.

Members of the Committee have also attended meetings of TDBC on occasions. The purpose of this was to familiarise ourselves with the operation of the Council and to provide us with a broader, more balanced view of a councillors work.

The Chair of the Committee was pleased to meet the new Leader of the Council and to be given the opportunity to emphasise the value of the Committee and its work. It is hoped that these meetings will continue and that in addition there will be an opportunity to meet all Group Leaders together with the Chief Executive

We have been able to monitor the operation of ethics and probity through regular reports to us from the Monitoring Officer. By doing this we are kept up to date with all those matters that come to his attention. We have been particularly pleased to see how quickly the new councillors have realised the benefits of high ethical standards and are reassured by the level of advice generally sought by all councillors on all matters of ethics and probity.

During the year a new Model Code of Local Government Conduct was produced by the Government. We are pleased that the Council reacted so quickly to our recommendation to adopt the new Code in its entirety. By adopting the Code in April (much earlier than many local authorities) it was possible to deliver training to new councillors which included the new Code rather than having to do it twice - with the old Code and then again when the new one was adopted. It also meant that the Parish Councils could adopt the new Code immediately after the local government elections.

With the elections taking place during the year we were keen to include the work of the Standards Committee in the election process so that candidates

were aware of the standards required of councillors. The guide for prospective candidates, both Borough and Parish, included details of ethics and probity, a letter was sent to all new members from the Chair and he also attended the new members' Welcome Day to talk more about the role of the Committee. In addition, the Chief Executive and Monitoring Officer were able to explain the basics of the Code of Conduct when new members signed their declarations of acceptance of office.

We have worked hard to maintain a high profile with Borough and Parish Councils so that all are aware of the support, advice and guidance we are able to give.

Work with Parish Councils

As mentioned earlier in the report, this was an area where we were keen to raise our profile and offer advice and support. We wanted to dispel any lingering myth that standards and the ethics and probity regime was a bad thing and to emphasise that it was there for the protection of parish councils and their councillors. We also wanted to make all parish councils aware of the advice and support we were able to give.

We decided that rather than invite representatives of parishes into The Deane House for training sessions we would go to them instead. Taunton Deane has 41 Parish Councils, 39 Parish Clerks and 343 Parish Councillors. We felt that it was essential that Parish Councils received training on the new Code of Conduct. The training has been delivered by David Greig, Parish Liaison Officer and members of the Standards Committee have been present at a number of the training sessions. By delivering the training in this manner, over 30 Parish Councils have so far been visited with a total of approximately 250 parish councillors and clerks being trained in the process. This has proved a worthwhile exercise and has been an excellent way of ensuring as many parish councillors and clerks as possible receive first hand training in the standards and the Code of Conduct. All 41 Parish Councils have adopted the revised Code of Conduct.

On a specific issue, we have dealt with a situation where a large number of allegations had been made to the Standards Board for England in respect of one particular Parish Council. None of the allegations had been found to be worthy of investigation and it was apparent from the issues involved that an inappropriate use of the Code was being made. The Chair of this Committee together with the Parish Liaison Officer therefore visited the Parish Council to re-emphasise the requirements of the Code.

We have generally been well received by the parishes and we intend to continue to develop and strengthen this particular link.

Training

With the introduction of the new Code training was equally important in relation to our Borough Councillors. An ethics and probity training session therefore took place on 11 July 2007 and we were pleased to see 30 Borough Councillors attend that session.

This training complemented the other ethics and probity training delivered at the new members' Welcome Day and when the newly elected members met with the Chief Executive and Monitoring Officer.

The success of the training has been illustrated by the number of enquiries that have been forthcoming from Members. There has also been an upsurge in declarations of interest made at meetings.

The Committee feel that the training should be repeated annually, in order to keep Members well informed. We have also asked that a list of attendees be submitted to us so that we can attempt to achieve 100% training for all members.

The Future

As mentioned at the beginning of this report, the Local Government and Public Involvement in Health Bill is expected to come into force by April 2008. The Bill includes a number of important changes in the way the current Standards regime operates. It will involve us in the biggest change we have had to deal with since Standards Committees were set up..

Complaints about Borough and Parish Councillors have hitherto been made directly to the Standards Board for England. The Board then carry out an initial filter and decide what action should be taken. The intention of the Bill is for this procedure to change and for all complaints to be made directly to the local Standards Committee.

Once the complaint has been made we will have three distinct roles:

- exercising the local filter
- reviewing the local filter if necessary (appeal)
- holding a hearing following an independent investigation

Despite the absence so far of any central guidance we are working towards being ready for the challenge when the new regime comes into effect. We have given some consideration to how these roles will operate in practice and have drawn up a policy and procedure for dealing with allegations.

We have had some brief, informal training already by dealing with a number of case studies. There will also be an opportunity for us to receive further, more detailed training when we attend the training event at County Hall in January.

In addition to this change in procedure there are other areas of our remit that we intend to develop over the coming year.

We feel that it is important that some meaningful and measurable performance targets and indicators are in place in order that the work of the Committee can be measured. The Committee has built up a number of years' successful experience in its various roles in advancing ethical standards across Taunton Deane. We have decided that the time has now been reached when its own performance should be judged. We hope to introduce these indicators/measurements in the forthcoming year,

We also want to improve communications even further. We feel there is scope to develop our presence on the Taunton Deane web site. We want to see a regular supply of information to councillors, press and the public through the availability of our minutes and reports in the Weekly Bulletin. We will also be looking at the possible development of a share point site.

Conclusion

Taunton Deane has a Standards Committee that is committed to promoting good standards amongst councillors. We have come a long way from our early days and we will continue to look at ways in which we, as a Committee, can improve and serve the Council and the community.

David Baker OBE
Chair, Taunton Deane Standards Committee