

AGENDA SUPPLEMENT (2)

Meeting: Standards Committee
Place: Committee Room III, County Hall, Trowbridge
Date: Wednesday 22 September 2010
Time: 2.00 pm

The Agenda for the above meeting was published on 14 September 2010 and indicated that the report detailed below would be to follow. This is now available and is attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Pam Denton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718371 or email pam.denton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

12. **Review of the Standards Committee Plan 2010-2014** *(Pages 1 - 8)*

To consider the attached report and appendix

DATE OF PUBLICATION: 20 September 2010
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WILTSHIRE COUNCIL

STANDARDS COMMITTEE

22 September 2010

REVIEW OF THE STANDARDS COMMITTEE PLAN 2010 - 2014

Purpose of Report

1. To advise the Committee on progress made against the targets and priorities set in the Standards Committee's Plan since May 2010.

Background

2. At its meeting on 19 May 2010 the Committee approved a plan for its work which included its top priorities for action in 2010. The Committee agreed to review the plan twice a year in September and March.

Main Considerations for the Council

3. A copy of the plan with comments summarising the action taken in respect of the various targets and priorities is attached as an appendix to this report.
4. Key points to note are summarised in the chairman's overview section of the plan as follows:
 - Good progress has been made towards meeting the priorities set out in the Standards Committee's Plan. It has been necessary, however, to review these priorities in the light of the Coalition Government's announcement of its intention to abolish Standards for England. The position will be reviewed further when the Government's proposals for the future of the standards regime become clearer as the Localism Bill progresses from November 2010. In the meantime the Standards Committee must continue to fulfil its statutory responsibilities efficiently and effectively.
 - Town and Parish Councils have been advised that support and training will continue to be available pending any change in the legislation.
 - The Committee recognises the importance of dealing with complaints in a timely and efficient way. To this end the Committee has introduced target times for the assessment, investigation and determination of complaints and is actively monitoring progress of cases against these targets. Local assessment sub-committees have received training and developed experience in assessing complaints as a consequence of which less complaints are being referred for investigation. The proportion of cases referred for investigation this year is now below the national average. The complaints process has been reviewed to see what further steps may be taken to streamline cases within the requirements of the statutory framework.

- The Committee is in the process of reviewing the Council's Constitution in the light of its first year of operation. This is being undertaken through the Constitution Focus Group and will culminate in proposals to Council for approval in November.
- The Standards Committee has confirmed its commitment to supporting the Council in the development of its culture change programme.

5. The plan will be reviewed further when the Government's proposals for standards are known.

Environmental Impact

6. None.

Equalities Impact

7. The plan is consistent with the Council's Equality and Diversity Policy.

Financial Implications

8. None arising directly from this report.

Legal Implications

9. Implementation of the plan will enable the Committee to discharge its statutory responsibilities more effectively.

Proposal

10. The Committee is asked to note performance against the plan since its meeting in May 2010.

Ian Gibbons
Monitoring Officer

Report Author: Ian Gibbons

The following unpublished documents have been relied on in the preparation of this Report: None

STANDARDS COMMITTEE PERFORMANCE AGAINST PLAN

Wiltshire Council's Vision is to create stronger and more resilient communities, underpinned by 3 key goals:

- 1. Deliver high quality, low cost, customer focused services.**
- 2. Ensure local, open, honest decision-making.**
- 3. Working together to support Wiltshire's communities**

Wiltshire Council Standards Committee Vision is to raise public trust and confidence in local democracy by promoting consistently high standards of conduct throughout local government in Wiltshire

Top Priorities for Action 2010

Standards Committee Goals	Standards Committee Output	Targets	Owner Responsibility	Comments
<p>Promote the ethical well-being of Wiltshire Council by embedding standards further within the Council</p> <p style="text-align: center;">And</p> <p>Promote standards in partnerships</p>	Work collaboratively with Cabinet, Overview and Scrutiny Select Committees and the Audit Committee in improving the Council's governance arrangements; develop working protocol for inclusion in the Constitution.	Protocol to be completed for inclusion in Constitution in July 2010.	Ian Gibbons / Chair	Joint seminar on Comprehensive Area Assessment was held on 17 February 2010. A Protocol setting out governance reporting arrangements between Cabinet, Overview and Scrutiny, Standards and Audit Committees was approved by the Constitution Focus Group on 29 July. Final approval to be sought at meeting of Council on 9 November.
	Undertake review of the effectiveness of the Constitution as requested by Council.	Complete by 30 September 2010.	Ian Gibbons / Chair Nina Wilton / Vice Chair	The Constitution Focus Group met in July and has further meetings in September and October to review relevant parts of the Constitution. The Standards Committee has a special meeting arranged on 13 October 2010 to consider the proposed changes to the Constitution. These will go to Council on 9 November 2010 for approval.
	Provide training on the Code of Conduct; monitor take-up and effectiveness of training.	Code of Conduct to be included in the induction process of Officers and Councillors Provide E Training Package by July 2010 100% of Wiltshire Councillors undertaken training on code	E Training Package went live in July 2010. Take-up is being monitored. No further training events arranged on the Members' Code of Conduct pending clarification of the Government's proposals for standards.	

				New Code of Conduct for Officers agreed by Staffing Panel in May and recommended for approval by Council in November. This will be included in induction arrangements. With HR advice, we will explore viability of Code of Conduct awareness being linked to appraisal reports.
Work with Parish, Town and City Councils to support them in their application of the local standards framework	Develop training package for Town, Parish and City(T,P&C) Councils in conjunction with WALC; finalise and implement programme for delivery of training; monitor the take-up and effectiveness of training.	Agree content / schedule by 31 July 2010? Begin implementation by 1 September 2010 Monitor effectiveness from 1 November 2010? ? % of T,P&C councils offered training by 1 April 2011	Nina Wilton / Vice Chair	The provision of training to T,P & C Councils was considered by the Committee in July. Agreed that notwithstanding the Government's proposals training should be actively offered to any town or parish councils that had asked for advice or where there was clearly a need. In August the Chairman wrote to all T,P & C Councils advising them of the indicative timetable for the Government's proposals and that the Standards Committee will continue to carry out its statutory responsibilities until any change in legislation comes into effect. The letter invited them to contact the Governance team if they wished to receive training on the Code and wider governance issues. About 10 councils have responded so far. We are making arrangements to meet these requests. A letter was also sent to unitary councillors confirming that training will be provided to town and parish councils that require it, and sought their help in identifying which councils would benefit from such training and in encouraging them to take it up. It is proposed to monitor take-up and effectiveness of training by using a feedback form for completion by T,P&C Council Clerks after the training.

	Standards Committee visible presence at meetings of Area Boards.	Standards Committee briefing to all Area Boards by October 2011.	Ian Gibbons / Chair	Proposing to put presentation to Area Boards on hold pending clarification of the Government's proposals on standards, but to include in chairman's announcements in the Oct/Nov. round of meetings a note informing members of the area board and public of the timescale to which the Government are working in respect of their proposals for standards and that the current regime will remain in operation in the meantime.
Inform and engage the public on standards in local government	Produce leaflet on making a complaint and the local assessment process for distribution throughout Wiltshire.	28 February 2010	Done	Issued.
	Ensure that the Standards Content on the Wiltshire Council Website is easily accessible	30 September 2010	Nina Wilton / Mr. Craig McCallum	Work on this is now underway. Delay in starting due to work on other priorities and annual leave arrangements.

Chair's overview and summary of identified key trends.

1. Good progress has been made towards meeting the priorities set out in the Standards Committee's Plan. It has been necessary, however, to review these priorities in the light of the Coalition Government's announcement of its intention to abolish Standards for England. The position will be reviewed further when the Government's proposals for the future of the standards regime become clearer as the Localism Bill progresses from November 2010. In the meantime the Standards Committee must continue to fulfil its statutory responsibilities efficiently and effectively.

2. Town and Parish Councils have been advised that support and training will continue to be available pending any change in the legislation.

3. The Committee recognises the importance of dealing with complaints in a timely and efficient way. To this end the Committee has introduced target times for the assessment, investigation and determination of complaints and is actively monitoring progress of cases against these targets. Local assessment sub-committees have received training and developed experience in assessing complaints as a consequence of which less complaints are being referred for investigation. The proportion of cases referred for investigation this year is now below the national average. The complaints process has been reviewed to see what further steps may be taken to streamline cases within the requirements of the statutory framework.

4. The Committee is in the process of reviewing the Council's Constitution in the light of its first year of operation. This is being undertaken through the Constitution Focus Group and will culminate in proposals to Council for approval in November.

5. The Standards Committee has confirmed its commitment to supporting the Council in the development of its culture change programme.

<i>Other Areas for Action</i>				
Standard Committee Goals	Standard Committee Output	Targets	Owner Responsibility	Comments
Apply the local standards framework in a fair, efficient and proportionate manner	Review approach to local assessment to bring decisions more in line with national average of complaints referred for investigation; arrange workshop on local assessment.	Local Assessment Workshop held on 3 February 2010. Review quarterly	Ian Gibbons / Chair	Figures to August (see status report on agenda for September meeting) show that 3 complaints were referred for investigation out of the total of 19 received from January 2010 (16%). This compares favourably with the 77% reported last year for the period April-November 2009 and the national average of 53% reported in Standards for England's annual report for 2008-09. It demonstrates that a more robust approach is being taken at assessment stage on whether a complaint should be referred for investigation.
	Consider outcome of Standards for England's review on proportionality in local standards framework; review proportionality in the operation of the Council's own procedures including the use of mediation and informal resolution of complaints.	Report on review to meeting on 22 September 2010	Ian Gibbons / Chair	Standards for England review on proportionality completed. Report on review of Wiltshire Council's local assessment procedures to be considered at Standards Committee meeting on 22 September 2010.
	Review timescales for completing each stage of the local assessment process.	Completed. Initial assessment within 20 working days of receipt of complaint. Review decision within 20 working days of request for review. All investigations to be completed within 6 months of complaint reaching the Assessment Sub-Committee's (or if appropriate the Review Sub-Committee's) Decision. Subsequent Standards Committee hearings to be completed within 12 weeks of receipt of	Ian Gibbons / Chair	Target timescales agreed with progress monitored by Standards Committee at each meeting using 'traffic light' system.

	Implement new Code of Conduct with training for all councillors.	Investigator's Report. Await Government's proposals.	Ian Gibbons / Vice Chair	No action required at this stage.
Promote the ethical well-being of Wiltshire Council by embedding standards further within the Council	Support the Council in moving to a single culture by promoting agreed values.	To be developed in consultation with the Chief Executive and Cllr Laura Mayes, Wiltshire Council's Portfolio holder for Culture Change	Ian Gibbons / Chair	Andrew Kerr, Chief Executive and Laura Mayes, Portfolio Lead for culture change attended meeting of Standards Committee in May 2010 and gave a presentation on 'Shaping the Future and being the Best'. Members of the Committee to be invited to attend proposed member consultation event on the key values to be adopted by the Council and to provide support to the Council in promoting and reinforcing the agreed values.
	Increase the Committee's visibility by attendance at meetings of Council, Cabinet, Committees and Area Boards.	Chairman or Vice Chairman to attend Council Meetings (6 per year) Chairman or Vice Chairman to attend 50% of Cabinet Meetings Standards Committee representation at all Area Boards at least once a year	Chair	Annual Report presented by Chairman to Council at July meeting. Standards Committee Members encouraged to attend, especially where business is directly relevant to Standards Committee.
	Arrange regular meetings between the Chairman of the Standards Committee, Monitoring Officer, Leader and Chief Executive to maintain contact and exchange areas of development and opportunities.	Quarterly.	Ian Gibbons / Chair	Meeting to be arranged Oct/Nov.
	Oversight of the Council's complaints handling to ensure that complaints are dealt with efficiently and lead to improvements in services to the public.	Annual statistical return to be considered by the Committee.	Nina Wilton / Chair	Dependent on the development of a complaints tracking system. Local Government Ombudsman's Annual Report for 2009-10 to be considered by Standards Committee on 22 September 2010.

<p>And Promote standards in partnerships</p>	<p>Review partnership governance arrangements; incorporate agreed values and standards of behaviour in partnership documentation</p>	<p>Timetable for review to be agreed.</p>	<p>Ian Gibbons / Chair</p>	<p>The existing Partnership Protocol and Register has been reviewed and updated to ensure that all partnerships across Wiltshire Council are captured. The revised protocol will ensure that partnerships are underpinned by good governance and to complement the protocol a new electronic database and supporting guidance have been developed. Partners will be consulted on the values to be adopted by Wiltshire Council as part of the culture development programme. The agreed values can then be included in partnership documentation.</p>
<p>Work with Parish, Town and City Councils to support them in their application of the local standards framework</p>	<p>Communicate regularly with Town, Parish and City Councils on standards issues e.g. through Parish newsletter</p>	<p>Articles in Parish newsletters as required. Provide annual digest of code of conduct cases</p>	<p>Nina Wilton / Chair</p>	<p>Leaflets on Code of Conduct and local assessment process published. Annual Report published. Communications on standards issues through Parish newsletter. Letter from Chairman in August on impact of Government's announcements on current arrangements.</p>