

AGENDA

Meeting: **STANDARDS COMMITTEE**
Place: **Committee Room III, County Hall, Trowbridge**
Date: **Wednesday 3 February 2010**
Time: **2.00 pm**

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

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

All public reports referred to on this agenda are available on the Council's website at www.wiltshire.gov.uk

Membership:

Wiltshire Council Members

Cllr Nigel Carter, Cllr Ernie Clark, Cllr Peter Fuller, Cllr Malcolm Hewson, Cllr Julian Johnson and Cllr Ian McLennan

Town/Parish Council Co-opted Members

Mr W Bailey, Mr C McCallum, Mr P Neale, Mr R Oglesby JP, Mr J Scragg, Miss P Turner, Mr K Wallace and His Hon MacLaren Webster QC

Independent Co-opted Members

Mrs Jane Bayley, Mr Michael Cronin, Mr Philip Gill MBE JP, Mrs Isabel McCord (Chairman), Mr Ian McGill CBE, Mr Stuart Middleton, Mr Gerry Robson OBE (Vice-Chair) and Mr Keith Shipman

Part 1

Items to be considered while the meeting is open to the public

1. **Apologies**

2. **Minutes of previous meeting** (*Pages 1 - 8*)

To confirm and sign the minutes of the Committee meeting held on 11 November 2009 (copy attached).

3. **Chairman's announcements**

4. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests.

5. **Public participation**

The Council welcomes contributions from members of the public.

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. The Chairman will, however, exercise her discretion in order to ensure that members of the public have the opportunity to contribute.

Members of the public wishing to ask a question should give written notice (including details of any question) to the officer named above by **12.00 noon on Monday 11 January**.

6. **Communications Sub-Committee Update** (*Pages 9 - 14*)

The minutes of the last meeting are attached and there will be a verbal update.

7. **Training Sub-Committee Update** (*Pages 15 - 20*)

The minutes of the last meeting are attached and there will be a verbal update.

8. **Communications and Training Sub-Committees** (*Pages 21 - 24*)

Report of the Head of Governance to follow

9. **Status Report on Complaints made under the Code of Conduct** (*Pages 25 - 26*)

To note the summary of the Code of Conduct complaints received by the Monitoring Officer since 1 April 2009

10. **Standards Committee Plan 2010-2014** (*Pages 27 - 68*)

To ask the Committee to agree a plan setting out its priorities and actions to meet them over the next four years.

11. **Register of Members' Interests** (*Pages 69 - 72*)

To consider the report of the Head of Governance

12. **Annual Audit and Inspection Letter** (*Pages 73 - 96*)

The Annual Audit and Inspection Letter is attached. This has been considered by Audit Committee and Cabinet and an extract of the minutes of these meetings are attached for information.

13. **Standards for England Bulletin No. 46** (*Pages 97 - 108*)

To receive the attached Bulletin from Standards for England.

14. **Forward Plan** (*Pages 109 - 110*)

The Committee will be invited to review its work plan – details attached

15. **Urgent Items**

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

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STANDARDS COMMITTEE

MINUTES of the STANDARDS COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 11 NOVEMBER 2009.

PRESENT:

- Independent Members - Mrs I McCord (Chairman), Mrs J Bayley, Mr I McGill CBE, Mr S Middleton, Mr G Robson OBE, (Vice-Chairman)
- Town/Parish Members - Mr W Bailey, Mr A McCallum, His Honour D MacLaren-Webster QC, Mr P Neale, Mr R Oglesby JP, Mr K Wallace
- Wiltshire Council Members- Cllr N Carter, Cllr E Clark, Cllr P Fuller, Cllr J Johnson and Cllr I McLennan
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35. Apologies

Apologies for absence were received from Mr P Gill MBE JP, Mr J Scragg, Mr K Shipman and Miss P Turner MBE JP,

36. Minutes of Previous Meeting

Resolved:

To confirm and sign the minutes of the meeting held on 9 September 2009.

37. Announcements from the Chairman

(a) Members Allowances

The Chairman informed members of the decision made by full Council at its meeting on 10 November and a copy of the Leader's motion and a chart showing the allowances was tabled.

(b) Intranet access/e-mail addresses

The Chairman said that she understood that some members of the committee had experienced difficulties in setting up Ways of Working on their computers and asked any members to get in touch with Democratic Services if they still had any problems. She emphasised that it was Wiltshire Council policy that e-mails could not be sent to personal e-mail accounts and this policy extended to members of the Standards Committee. Therefore with effect from 1 December 2009 no emails will be sent to personal addresses.

(c) Future objectives

The Chairman said that the Standards for England Conference papers and Annual report contained some good ideas for future objectives for the committee and she had asked the Monitoring Officer to prepare a report for the January meeting on key objectives and priorities for action.

(d) Visibility of Standards Committee

The Chairman said that following the issue of the code of conduct pack to all town and parish councils it would be helpful to reinforce that by Standards Committee members attending town and parish council meetings and Area Boards. To this end she asked members of the committee to have a look at what was on in their area and go along to the meetings in an informal capacity.

38. Members' Interests

There were no declarations of interest.

39. Public Participation

None.

40. Register of Members' Interests and Gifts and Hospitality

The Head of Governance presented the report which provided members of the committee with information about arrangements in place for recording the interests of members of Wiltshire Council and the town and parish councils, together with the register of gifts and hospitality received by members.

She added that good practice suggested that the members' register of interests should be available for the public to view on the council's web-site; this had been considered by Wiltshire County Council in the past but members had voted against it. It was suggested that a recommendation should be made to the Council asking them to reconsider the position in the interests of transparency and public confidence.

Resolved:

- 1. That the report be noted.**

- 2. That a report be produced for the next meeting of this Committee to enable it to consider whether to make a recommendation to Council that it reviews whether members' interests should be published on the Internet.**

41. Communication Sub-Committee – Update

The Chairman gave a verbal update on the progress of the Communication Sub-Committee.

A question was asked about how it was possible to evaluate success without testing. Mr Robson replied that the Training sub-committee had looked at this issue and asked that clarification be sought on the role of the two sub-committees specifically in relation to training.

It was requested that when dates of future meetings of both the Training and Communications sub-committees are set that they are timed so that they can feed back into the Standards Committee.

The Chairman drew attention to the responsibilities of the Standards Committee in the Constitution noting that it did not have any responsibility for the officers' code of conduct. The Chairman asked Head of Governance to produce a guidance note for the next meeting to inform the committee on what is being undertaken in Wiltshire Council to ensure that all officers are aware of the code of conduct.

Resolved:

- 1. That the progress made by the Sub-Committee since its previous meeting be noted.**
- 2. That a Training sub committee representative attends the Communications Sub Committee meeting on 7 December in order to clarify the roles of the 2 sub-committees**
- 3. That a guidance note on progress with officers' code of conduct be brought to the next meeting.**

42. Whistleblowing Procedure Update

The Head of Governance presented the report and explained that the whistleblowing procedure had been revised to take into account advice from the external auditors (KPMG), good practice, and learning gained from running the procedure over the last 5 years. The policy would be launched in conjunction with the revised anti-fraud and money laundering procedures. It was hoped that the re-launch would take place in December and the procedure would be publicised via the Wire and in the news section on the Intranet.

Resolved:

That the report be noted

43. Local Government Ombudsman Complaints - Status Report

The committee considered an update of Ombudsman Complaints resolved within the six month period between April 2009 and September 2009.

Resolved:

That the report be noted.

44. Review of the Wiltshire Council Constitution

The Chairman introduced a report which recommended a process for undertaking a review of the constitution as previously requested by Council and to establish a Focus Group for this purpose. It was agreed that a town and parish representative be appointed to the group in addition to the two independent members. Having received nominations, the independent and town and parish membership of the Focus group was agreed as follows:

Mrs I McCord
Mr S Middleton
Mr P Neale

Resolved:

(a) that the Standard Committee notes the report and the process for reviewing the constitution.

(b) establishes a Focus Group on the Review of the Constitution with the following terms of reference and membership

Terms of reference:

- **To provide a forum for engagement in the review of the constitution.**
- **To consider the effectiveness of the constitution in the light of the past six months experience of operating the current constitution to ensure that it is legally sound, fit for purpose and continues to serve the interests of all the people of Wiltshire.**
- **To consider the views of**
 - **elected and co-opted members of the Council**
 - **officers**
 - **decision making bodies of the Council as appropriate**
 - **town, parish and city councils and**
 - **members of the public**

ascertained through questionnaire responses and appropriate methods of communication and make appropriate recommendations

- **To offer a councillor perspective on and accordingly to influence key issues within the constitution.**
- **To keep the Standards Committee informed of progress on the review of the constitution.**
- **To advise the Standards Committee of final recommendations on any changes to the constitution for report to Cabinet for consideration and onward recommendation to Council.**

Membership

- (i) **a member from each group on the Council nominated by group leaders;**
- (ii) **a member of the Overview and Scrutiny Management Resources Select Committee;**
- (iii) **a member of the Audit Committee;**
- (iv) **two independent members and one town and parish representative of the Standards Committee as detailed above;**
- (v) **that the Focus Group be chaired by one of the Independent members of the Standards Committee;**
- (vi) **that appropriate Councillors and Officers be invited to attend as and when requested by the Focus Group or its Chairman to assist it in its work.**

45. Status Report on Complaints Made Under the Code of Conduct

The Head of Governance introduced the report which provided a summary of the Code of Conduct complaints received by the Monitoring Officer since 1 April 2009 and asked the committee to note that there was the possibility of several hearings in the near future.

Mr Clark referred to an issue raised during a session at the Standards Board for England's Annual Assembly concerning the practice of Group spokesmen attending Chairman's briefings. It was decided to refer this to the Service Director, Development Control, to consider as part of his review of development control within the context of the review of the Constitution.

Resolved:

That the report be noted.

46. Report on the 2009 Annual Assembly of Standards Committees

The Monitoring Officer and Cllr Clark presented a report on the recent Standards Board for England Annual Assembly.

Resolved:

That the report be noted

47. Local Assessment Regime

The Committee considered the report noting the percentage of complaints going forward to investigation was higher than the national average which meant a heavy workload for the Governance Team. This was an issue for other Standards Committees as well as the Standards for England.

It was suggested that it would be helpful to have a training workshop to look at the assessments that had been considered so far and their outcomes. The DVD on assessments could also be shown at the same time.

Also members discussed the merits of mediation and informal resolution as a way of resolving complaints.

Resolved:

- 1. That the report be noted.**
- 2. That a training workshop on assessments be arranged for the morning of the next Standards committee meeting.**
- 3. That the Monitoring Officer explore mediation and informal resolution as a means of resolving complaints.**

48. Report of Hearing of Complaint Under the Code of Conduct

The committee considered a report on the outcome of a determination hearing held on 25 September 2009.

Resolved:

That the Committee notes the outcome of this case and that the response from Standards for England will be circulated when received

49. Committee Forward Workplan

The Committee received the Committee's Work Plan for 2009/10. It was agreed that the following items be added:

January - Report on key objectives and priorities for action for the committee
January - Register of members' interests
January - Officers Code of Conduct update
January – training workshop on assessments

50. Urgent Items

None.

(Duration of meeting: 2.00pm – 4.30pm)

The officer who has produced these minutes is Pam Denton, Senior Democratic Services Officer, direct line (01225) 718371, pam.denton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115.

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STANDARDS COMMUNICATIONS SUB-COMMITTEE

MINUTES of the STANDARDS COMMUNICATIONS SUB-COMMITTEE held at COUNTY HALL, TROWBRIDGE on MONDAY 19 OCTOBER 2009.

PRESENT:

- | | |
|---------------------|---|
| Independent Members | - Mrs I McCord
Mr I McGill |
| Town/Parish Members | - Miss P Turner (Chairman)
Mr B Bailey |
| Officers | - Marie Gondlach, Democratic Services Officer
Henry Powell, Senior Scrutiny Officer
Nina Wilton, Head of Governance
Roger Wiltshire, Ethical Governance Officer
Matthew Woolford, Media Relations Manager |
| Others present | - Mr G Robson OBE (Chairman of the Training
Sub-Committee) |
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27. Apologies and Introductions

Apologies were received from Mrs J Bayley and Mr E Clark.

28. Members' Interests

None were received.

29. Minutes of the Previous Meeting

Members considered the minutes of the meeting held on 19 October 2009.

It was agreed to correct a typo in the resolution under Minute 22 to read, "The Sub-Committee resolved not to discuss this item of business."

Subject to this amendment, the minutes were approved and signed as a correct record.

30. Roles of the Communications and Training Sub-Committees

This item followed concerns expressed at the Standards Committee's 11 December 2009 meeting regarding a possible overlap between the roles of the Communications and Training Sub-Committees.

Mr G Robson OBE, Chairman of the Training Sub-Committee, provided a summary of the Training Sub-Committee's progress in refining its terms of reference and setting its future work plan. Training Sub-Committee members had agreed that much of its work would involve evaluating trends in the type and origin of complaints received under the Code of Conduct, and designing and allocating training where it was required. Training Sub-Committee members had requested clarification of whether its remit included overseeing training for officers on the Officers' Code of Conduct. They had also noted that the Communications Sub-Committee's work plan included some items relating to training, and had therefore requested clarification of the Sub-Committee's respective roles in order to prevent duplication of work.

The Head of Governance reported that the Officers' Code of Conduct was to some extent fixed as amending it required consultation with trade unions.

Members agreed the following points:

- The lack of clarity between the Sub-Committees' roles was partly due to the Standards Committee being in its early stages and the Sub-Committees being established at different times.
- The two options available were to a) to combine the Sub-Committees into one, or b) to clarify their respective terms of reference, with the Communications Sub-Committee removing actions relating to training from its work plan. This decision was ultimately for the Standards Committee to take.
- Both Sub-Committees must justify their existence with specific actions completed within a set timescale. Bureaucracy should not prevent real progress.
- The functions of both Sub-Committees should be able to be performed by the Standards Committee itself and if it was unable to do so it may be too large and too bureaucratic. A more effective structure may comprise a smaller Standards Committee, meeting more often and establishing task and finish groups of 4-5 members for set tasks.

- Following consultation of the Constitution, the Standards Committee role was agreed to be oversight of the Code of Conduct for Members.

Resolved

The Head of Governance to draft a report to the Standards Committee summarising the views of the Communications and Training Sub-Committees with respect to their future composition, terms of reference and working arrangements.

31. **Communications Action Plan**

The Sub-Committee received updates on the actions within the re-designed Communications Action Plan, and made the following comments:

A. The work/actions of the Standards Committee and its Sub-Committees be included in the Residents' Newsletter

- The text for an article in the Residents' Magazine ('Your Wiltshire') could be taken from the draft leaflet circulated under Item 6 (see Action C below).
- This should be included in the March edition, the print deadline for which is 4 February.

C. Production of leaflet introducing the Wiltshire residents to the Standards Committee and its work

Members considered a draft leaflet circulated at the meeting. It was agreed that the leaflet should be distributed to council hubs, libraries, Citizens Advice Bureaus, GP surgeries and the Race Equality Council.

There was agreement that the leaflet achieved its aims but could be improved with the following amendments:

- 'Maintaining standards' should be replaced with 'Raising standards'.
- The '*How do I make a complaint?*' section of the leaflet should be slimmed down, but brought to the front of the leaflet to give it greater prominence.
- Due to the lack of clarity over the term 'ethical governance', 'overseeing ethical governance' should be replaced with 'promoting high standards'.

D. Make a recommendation to the Standards Committee regarding the poor structure of the Wiltshire Council website, and the difficulty in finding the page where the public can submit complaints

- Recruitment in the ITC department was in progress to improve the web skills the department had available.

H. Articles/updates as applicable in the town/parish newsletter

- An article on dispensations is currently in draft and, subject to checking from the Monitoring Officer, will be included in a future edition of the Town/Parish Council newsletter.

J. An annual, anonymous digest of Code of Conduct cases circulated to all town/parish councils

- This digest will cover April-to-April and be included on the website. A link to it will be included in the Town/Parish Council newsletter.
- Consideration of this digest should be added to the Standards Committee's work plan.

Q. Include a feature on the Code of Conduct for Officers in the staff magazine

- It was agreed this action be removed as it duplicates Action R.

S. Recommend training on the Code of Conduct for Officers

- The Head of Governance reported that she would be meeting with officers in Human Resources (HR) next week to discuss this.

T. Circulate copies of the Code of Conduct for Members leaflet to Community Area Managers

- This action had been completed but should be amended to include planning officers and customer care officers.

U. Invite Community Area Board managers to a Sub-Committee's meeting

- This action should be removed and the Training Sub-Committee asked to consider targeted training on the Code of Conduct of community area managers.
- As a key tenant of the new Wiltshire Council, it was agreed that Area Boards are an important audience for the Sub-Committee to

reach. An action should therefore be added to the Action Plan addressing this.

The Chairman noted that work done by officers since the previous meeting had contributed an enormous amount and requested that this be recorded in the minutes.

Resolved:

To note the progress made with respect to the Communications Action Plan and that the amendments detailed above be made.

32. Draft leaflet introducing the Standards Committee

This was discussed under Item 5 (Communications Action Plan (Action C)) above.

33. Communications Strategy – Evaluation of Success

A fourth draft of the framework for evaluating the Strategy's success was circulated.

The following points were agreed:

- Further development of the framework was dependent on the outcome of the review of the respective roles of the Communications and Training Sub-Committees.
- There may not be value to add by measuring the performance of the Communications Sub-Committee alone, rather, the performance of the Standards Committee as a whole should be measured.
- The framework circulated would provide a useful basis for doing so and any final framework should contain only 5 or 6 simple indicators.

Resolved:

To suspend work on evaluating the success of the Communications Strategy until future arrangements with respect to the Communications and Training Sub-Committees have been agreed by the Standards Committee.

34. Update for the 13 January 2010 meeting of the Standards Committee

The Chairman reported that she would give a verbal update on the work of Sub-Committee to the Standards Committee at its 13 January 2010 meeting.

Resolved

The Chairman would give a verbal update on the work of the Sub-Committee to the Standards Committee at its next meeting.

35. Date of Next Meeting

Members agreed that the next meeting of the Sub-Committee be scheduled for **2.30pm, 8 February 2010.**

The meeting closed at 4.00pm.

These minutes were prepared by Henry Powell, Senior Scrutiny Officer, who can be contacted on 01225 718052 or henry.powell@wiltshire.gov.uk

STANDARDS TRAINING SUB-COMMITTEE

MINUTES of the SPECIAL MEETING of the STANDARDS TRAINING SUB-COMMITTEE held at COUNTY HALL, TROWBRIDGE on MONDAY 14 DECEMBER 2009.

PRESENT:

Independent Members	-	Mr Philip Gill Mr Gerry Robson
Town/Parish Members	-	Mr Alexander McCallum Mr Robert Oglesby
Wiltshire Council Member	-	Cllr Nigel Carter

1 Apologies

Apologies for absence were received from Miss P Turner, Chairman of the Standards Communication Sub-Committee and Miss K Fielding of the Wiltshire Association of Local Councils (WALC)

2. Declarations of Interests

No declaration of interest were received

3. Chairman's Announcements

The Chairman informed the Committee that he had attended the Standard Communications Sub-Committee meeting on 7 December 2009 where the roles, and future, of the Communications and Training Sub-Committees had been discussed.

The Chairman explained that Nina Wilton, Head of Governance, had also attended and invited her to share her views and opinions throughout the verbal update he would give the Committee.

4. Public Participation

There were no requests from members of the public to speak.

5. Communications Sub-Committee

The roles of the Communication and Training Sub-Committees were discussed at the 7 December meeting of the Communication Sub-Committee following concerns expressed at the 11 November meeting of the Standards Committee regarding a possible overlap.

The Chairman gave a verbal summary of the debate that took place;

- That the Terms of Reference for both Sub-Committees should probably be more “task oriented” and that at present they were not clear enough
- That the role of each Sub-Committee required clarification as at least two items were on the Communications Sub-Committee work plan which related to training (I. Creation of a ‘mobile’, standardised presentation pack on the Code of Conduct for Members, which can be given by members and officers and N. Further training on the Code of Conduct for Members)
- Different options regarding the future of the two sub-committees were discussed and the one the Communications Sub-Committee expressed a preference for was as follows:
To establish some Task and Finish Groups on an ad-hoc basis to carry out a task on behalf of the Standards Committee.

The Chairman expressed his personal support for the option proposed above but opened it for debate and asked the Committee to make a decision to be reported to the Standards Committee at its 13 January meeting. Nina Wilton would write a joint report from the Communications and the Training Sub-Committees to be presented to the Standards Committee.

Resolved:

The Training Sub-Committee agreed that the Task and Finish Groups could address the issues around overlap and lack of clarity of roles and Terms of Reference, and could prove a more effective approach. However they wished to see the following issues addressed or integrated:

- **The membership of the Task and Finish Groups; flexibility would be required and clear numbers would need to be established either as a set rule or depending on the task undertaken. Adequate recording of everyone’s skills and abilities would be required to ensure that the membership of each Task and Finish Group was the most effective.**
- **That all reports and / or agenda items should include training needs in their impact analysis; this would be necessary to maintain an accurate Training Strategy as well as support Wiltshire Council’s commitment and focus on training with a view to obtain Charter Status.**
- **That any Task and Finish Groups considering Training issues should consider working closely with the**

Councillors Development Group to avoid duplication of work and effort.

7. Terms of Reference of the Training Sub-Committee.

All agreed that as the decision had been taken to support the disbandment of the Communications and Training Sub-Committees to be replaced by ad-hoc Task and Finish Groups there was no need to discuss the Terms of Reference.

Instead the Training Sub-Committee wished to clarify some issues the Standards Committee would need to consider in the near future and to receive an update of some of the projects they had previously considered:

(1) Town and Parish Councils training on Code of Conduct
Progress was being made and work undertaken with WALC to address issues around understanding the roles of Councillors, of Clerks and of Council as a whole. The presentation would mostly seek to address the following: procedural questions and complaints, lack of understanding of Freedom of Information and recurring themes (Respect, Bullying, Intimidation, Disrepute, Personal and Prejudicial Interests). The powerpoint presentation was circulated.

It was hoped that the training could be rolled out early spring as currently hearings had to take priority. It was also noted that not all Town and Parish Councils are members of WALC and some adjustments would have to be made.

Resolved:

- (a) to endorse the aims and objectives of the training
- (b) to recommend for the parishes of Charlton and Hankerton to be considered to pilot test the training
- (c) to receive the links to the papers supporting the slides as Cllr N Carter, Mr P Gill and Mr G Robson volunteered to help deliver the training

(2) E-training on Code of Conduct

The training should be rolled out in January and it was suggested that it could be introduced by the new Chief Executive if possible.

Members of the Training Sub-Committee asked to be sent link to the training before it was rolled out.

(2) Evaluation of success and recording of training

The Training Sub-Committee recommended that the Standards Committee consider how it wished to record the success of the training offered and undertaken. The Committee had also previously considered whether "certificates" should be delivered to those attending the training, detailing the aims and objectives of the training received.

(3) Training Needs identified to help with recurring complaints

- Chairmanship skills
- Mediation skills
- conflict management skills

(4) Training Sub-Committee's Work Plan

It was agreed that an updated Work Plan would be presented to the Standards Committee to ensure the Standards Committee was aware of all the issues identified by the Training Sub-Committee.

(Duration of meeting: 2.00pm – 3.20pm)

The officer who has produced these minutes is Marie Gondlach, Democratic Services Officer, direct line (01225) 713597, marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

DRAFT

Training Needs and Issues as identified by the Training Sub-Committee in its work plan for 2009/10

Training	Aims and objectives	Next Step / On-going	To consider
Town and Parish (T&P) Councils - Code of Conduct training	<ul style="list-style-type: none"> • Promote the values underpinning the Code of Conduct • Promote high standards of conduct and good governance in T&P Councils • Promote an understanding of the Code of Conduct • Highlight those paragraphs of the Code of Conduct which give rise to the most complaints • Promote the advice available from Wiltshire Council and Wiltshire Association of Local Councils on Code of Conduct and governance issues • Reduce the number of complaints upheld 	<ul style="list-style-type: none"> • For the training to be rolled out during Spring 2010 (a programme needs to be agreed) • For the parishes of Charlton and Hankerton to be considered to pilot test the training • For Cllr N Carter, Mr P Gill and Mr G Robson to help with the delivery of the training 	2 tier delivery T&P Councillors / T&P clerks
Training	To ensure that all relevant persons receive the appropriate training	To monitor the take up of training	Certificate of attendance / competence following training detailing the aims and objectives of the training received
	Identify all activities / training for which the Standards Committee is responsible	Establish a training programme	Monitor the delivery of required training and ensure the programme meets needs
	Promote high standards of conduct	<ul style="list-style-type: none"> • consider making some training compulsory • how to implement compulsory training 	Check what other authorities are doing
	Whistle-blowing and the Public Interest	Check if any training is currently	

	Disclosure Act	offered and that process and procedures are available	
	To ensure that those dealing with the public are aware of the high standards of conduct to which the Council aspires.	To ensure that the public can receive the assistance required to make complaints and to promote high standards of conduct	
	Monitor the delivery of training	Measure effectiveness of training	
Good practice	To ensure that the training offered is of the most relevant and highest standard available. Set targets	Receive a copy of good practice guidelines	Regular updates on targets
On-line Code of Conduct Training (currently designed for Wiltshire Councillors)	Code of Conduct Training	<ul style="list-style-type: none"> To be aware of the training being rolled out Monitor on-line training on the Code of Conduct and gauge effectiveness. Identify the training already being offered and the take up of that training. 	See how applicable this training would be for T&P Councils
Working with the Councillor Development Group (CDG)	To avoid duplication of work	<ul style="list-style-type: none"> Receive regular updates on the work of the CDG – including the development programme To coordinate work with the CDG 	

WILTSHIRE COUNCIL

AGENDA ITEM NO. 8

STANDARDS COMMITTEE

13 January 2010

Communications and Training Sub-Committees

Purpose of Report

1. To propose new arrangements for the discharge and oversight of the communications and training functions of the Standards Committee.

Background

2. The Standards Committee has a statutory responsibility for training councillors, both at unitary and parish level, in the requirements of the Code of Conduct. It also has a responsibility, under Wiltshire Council's Constitution, for the promotion of high standards of conduct throughout the authority.
3. In anticipation of an increased need for communication about standards matters after Wiltshire became a unitary authority the Standards Committee of Wiltshire County Council, at its last meeting in March 2009, agreed to establish a Communications Sub-Committee with the following remit:

"To recommend to the Standards Committee measures to:

publicise, promote and raise awareness of the work of the Standards Committee and; be proactive in promoting good behaviour by members of Wiltshire Council and town and parish councils within the Council's jurisdiction".

4. The Communications Sub-Committee has since then met on a number of occasions, and undertaken what was, essentially, project work, including the development and dissemination of an comprehensive introduction pack to all of the parish councils in Wiltshire and the development and publication of a leaflet outlining the requirements of the Code. The Communications Sub-Committee has also developed an action plan and a communications strategy. These included a number of activities that related to training.
5. The Standards Committee agreed to establish a Training Sub-Committee at its meeting on 9th September 2009. The terms of reference of the Training Sub-Committee were:

"To co-ordinate and oversee the training function of the Standards Committee.

The remit of the training sub-committee should encompass the Standards Committee's wider remit to promote high standards conduct, this should specifically include arrangements for training officers on the Officers' Code of Conduct."

6. It became evident after the first meeting of the Training Sub-Committee that the Sub-Committee's terms of reference were too loose to be assist members of the sub-committee to establish a work plan. It was noted that there was considerable duplication between the forward work plan adopted by the Communications Sub-Committee and the remit of the Training Sub-Committee, which is to co-ordinate and oversee the training function of the Standards Committee. This, coupled with the fact that reports have to go to the Standards Committee for ratification after presentation to the sub-committees, was resulting in a considerable extra burden of work for officers supporting those committees.
7. Officers also noted that the arrangements for training officers do not fall within the remit of the Standards Committee, since that is a function of the Human Resources department, which has a training strategy that includes all aspects of officer training – the strategy is one that has been adopted by the authority as a whole, and arrangements for delivering training on the Officers' Code of Conduct must, therefore, fall within the overarching training strategy for officers. The Head of Governance asked members of the Training Sub-Committee to note that she would bring reports on implementation to the Standards Committee to be noted, but that content and arrangements for implementation lay outside the remit of the Standards Committee.
8. These issues were discussed at the meetings of the Communications Sub-Committee on the 7th December 2009 and the Training Sub-Committee on the 14th December 2009. The Chairs of the Standards Committee, the Communications Sub-Committee and the Training Sub-Committee asked the Head of Governance to bring this report to the Standards Committee following those discussions, with proposals based on the discussions with sub-committee members.

Proposals

9. To disband the existing Communications and Training Sub-Committees and replace them with "task and finish" groups. These task and finish groups would be constituted to carry out particular tasks identified by the Standards Committee as and when a need is identified.
10. Reports to the Standards Committee should contain a paragraph that considers whether the report contains issues giving rise to a training or communications need. If so, the Standards Committee would establish an ad hoc task and finish group to deliver the specific piece of work identified. The task and finish group would only exist until the project had been completed.
11. Membership of task and finish groups would be not be fixed. Members would be drawn from the Standards Committee, with officer support, as the need arises. Consideration would be given to the skills needed for each task, and to the availability of members. This arrangement would provide for greater flexibility, would enable the Standards Committee to capitalise on the very wide range of skills in its membership, and give all members of the Committee the opportunity to engage in project work.
12. The Standards Committee will need to ensure continuity in the link between the Standards Committee and the Member Development Group. This link ensures that the training needs of councillors in relation to the Code of Conduct and other matters within the Standards Committee's remit are taken into account as part of the overall

member development strategy, which is within the remit of the Member Development Group. The link is currently provided by Councillor Carter, who is an elected member of Wiltshire Council who sits on both the Training Sub-Committee and the Member Development Group. It is therefore proposed that Councillor Carter remains the Standards Committee's link to the Member Development Group. The Standards Committee may wish officers to explore how this link can be maintained in the long term, to ensure that there is always Standards Committee representation on the Member Development Group, notwithstanding the fact that individual councillors will change.

Ian Gibbons
Monitoring Officer

Report Author: Nina Wilton – Head of Governance

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

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Code of Conduct Complaints Status Report

Month 2009	Cases received	Cases open (cumulative)	Assessed by Committee – Investigation	Assessed by Committee – no investigation	Appeals received (see below)	To be assessed by Committee *	Cases closed
April	12	10	9	1		0	2
May	2	11	0	1		0	1***
June	13	17	4	0		2*	7****
July	3	20	1	0		2*	0
August	1	21	0	1		0	0
September	1	22	0	1		0	0
October	5	27	1	4		0	0
November	7	33	2	3		2**	1
December	2	34	0	0	1	2*	1
Totals	46	n/a	17	11	1	8	12

* awaiting further and better particulars

** presented to sub-committee 10/12/09 but adjourned for further and better particulars. Sub-committee to reconvene on 13/1/2010

*** not code of conduct complaint

**** includes 2 cases which were not code of conduct complaints

N.B. Two Appeals have been received but these relate to carried over complaints from former district councils

Page 25

Hearings

Month 2009	Number of hearings	Date(s) and type(s) of hearing	Outcome	Appeal (Y/N)
April	0			
May	4	13/05/09 – 4 x Assessment Sub-Committee	3 investigation & 1 alternative action by MO	No
June	4	23/06/09 – 4 x Assessment Sub-Committee	3 investigations & 1 no breach	No
July	4	07/07/09 – 4 x Assessment Sub-committee	4 investigations	No
August	2	10/08/09 & 27/08/09 – 2 Assessment Sub-Committees	1 investigation & 1 no further action	No
September	0			No
October	1	15/10/09 – 1 x Assessment Sub-Committee	No further action	No
November	5	19/11/09 - 5 x Assessment Sub-Committee	1 investigation & 4 no further action	No
December	7	02/12/09 – 4 x Assessment Sub-Committee 10/12/09 – 3 x Assessment Sub-Committee	2 investigations & 2 no further action 1 referral to MO and 2 adjournments (see above)	1 received 21/12/09

Agenda Item 9

As at 18/12/09

Investigations

Case reference	Date of Assessment hearing	Progress	Estimated date of final report
WC 06/09	13/05/09	Draft report sent out December 2009	January 2010
WC 14/09	23/06/09	Report being drafted	January 2010
WC 15/09	23/06/09	Report being drafted	January 2010
WC 16/09	23/06/09	Report sent to complainant & subject member 14/12/09	18/01/10
WC 18/09	13/05/09	Draft report completed and ready for checking	18/01/10
WC 19/09	13/05/09	Draft report completed and ready for checking	18/01/10
WC 24/09	07/07/09	Report sent to complainant & subject member 16/12/09	18/01/10
WC 30/09	07/07/09	Interviews in progress	14/12/09
WC 31/09	07/07/09	Interviews in progress	14/12/09
WC 32/09	07/07/09	Interviews in progress	14/12/09
WC 33/09	07/07/09	Report completed – subject member unavailable between 04/01/10 & 19/04/10	
WC 38/09	19/11/09	Interviews commenced 16/12/09	Spring 2010
WC 43/09	02/12/09	Interview plan being drafted	Spring 2010
WC 45/09	02/12/09	Interview plan being drafted	Spring 2010

029020

WILTSHIRE COUNCIL

STANDARDS COMMITTEE

13 January 2010

STANDARDS COMMITTEE PLAN 2010-2014

Purpose of Report

1. To ask the Committee to agree a plan setting out its priorities and actions to meet them over the next four years.

Background

2. Wiltshire Council's Standards Committee was established in July 2009 and has made good progress in meeting its responsibilities under the local standards framework and the Council's Constitution. In order to ensure that it remains effective in its role and makes the best use of its resources it is necessary to agree priorities for the Committee over the next four years.
3. In agreeing its priorities the Committee will wish to bear in mind Standards for England's view that excellent standards committees are high performing in the following areas:
 - securing compliance with the standards framework;
 - demonstrating consistency and quality in the operation of its procedures and decision-making;
 - innovation e.g. use of mediation in resolving complaints;
 - exercising influence on the ethical well-being of the Council, Parish and Town Councils and partners;
 - communicating proactively and effectively in promoting high standards and public trust and confidence in local democracy.
4. Details of some performance indicators developed by Standards for England are attached at Appendix 1.
5. The Committee will also wish to have regard to the Council's draft Corporate Plan. A summary of the current version is included at Appendix 2. This is due to be considered by the Council for adoption at its meeting in February and will cover the period 2010 - 2014. It is proposed that the Committee's plan should cover the same period.
6. The Committee's priorities should reflect the Council's vision and goals. The Council's vision is to **create stronger and more resilient communities**. The vision is underpinned by 3 key goals, all of which have people and communities as their focus:
 - **Deliver high quality, low cost, customer focused services** - putting the customer first and ensuring that the Council is meeting the needs of its customers in a cost-effective way which demonstrates value for money.

- **Ensure local, open, honest decision-making** - engaging with communities so that people are contributing to the decisions that affect them and their local area.
- **Working together to support Wiltshire's communities** - across the council and its partner organisations, focusing on the needs of people and communities rather than on specific services and departments.

7. The Committee's functions of promoting high standards of conduct and ethical governance underpin the achievement of these goals. There is a strong link between good governance and high performing councils, as the following statements from "Delivering Good Governance in Local Government: Framework" (CIPFA / SOLACE) support:

Governance is about how local government bodies ensure that they are doing the right things in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities.

Good governance leads to good management, good performance, good stewardship of public money, good public engagement and, ultimately, good outcomes for citizens and service users. Good governance enables an authority to pursue its vision effectively as well as underpinning that vision with mechanisms for control and management of risk

8. The work of the Standards Committee is also a key part of the implementation of the Council's Code of Corporate Governance, which is based upon the following core principles of corporate governance:

- focusing on the purpose of the council and on outcomes for the community and creating and implementing a vision for the local area; engaging with local people and other stakeholders to ensure robust public accountability;
- ensuring that members and officers work together to achieve a common purpose with clearly defined functions and roles;
- promoting high standards of conduct and behaviour, and establishing and articulating the council's values to members, staff, the public and other stakeholders;
- taking informed, risk based and transparent decisions which are subject to effective scrutiny;
- developing the capacity of members and officers to be effective in their roles;
- engaging with local people and other stakeholders to ensure robust public accountability;

Main Considerations for the Council

Goals

9. Against this background it is suggested that the Committee's overall vision is to raise public trust and confidence in local democracy by promoting consistently high standards

of conduct throughout local government in Wiltshire. To achieve this it is proposed that the Committee considers adopting the following goals:

- **Apply the local standards framework in a fair, efficient and proportionate manner;**
- **Promote the ethical well-being of Wiltshire Council by embedding standards further within the Council;**
- **Work with Parish, Town and City Councils to support them in their application of the local standards framework;**
- **Inform and engage the public on standards in local government;**
- **Promote standards in partnerships;**

Apply the local standards framework in a fair, efficient and proportionate manner

10. The Standards Committee has been operating the local standards framework for six months and has developed arrangements for dealing with complaints which, on the whole, are working well. The Committee should build on this foundation to ensure that its processes are efficient and its decisions are clear, consistent and fair.
11. As Standards for England has recognised, there is a need to demonstrate proportionality in the application of the local standards framework, in terms of cost, effort expended, timeliness and sanctions. Standards for England are reviewing this on a national basis and the Committee will wish to have regard to their findings and recommendations on this issue.
12. As reported at the last meeting the proportion of complaints referred for investigation at the assessment stage is significantly higher than the national average. The Committee needs to look into this to ensure that it is achieving the right balance between assuring the public that complaints under the Code of Conduct are taken seriously and avoiding unwarranted public expenditure on the investigation of unmeritorious complaints.
13. The Committee will need to oversee the introduction of a revised Code, which is due to be introduced in May 2010, and ensure that councillors are aware of the new provisions. This includes the provision of ongoing training.

Promote the ethical well-being of Wiltshire Council by embedding standards further within the Council

14. The Committee can support the Council in the achievement of its goals by building on the existing commitment to standards in Wiltshire Council in the following ways:
 - a. supporting the Council in moving to a single culture as outlined in Appendix 3 - One Council One Culture - What will we be like? (See also paragraph 4 on page 10 of the Executive Summary of the draft Corporate Plan at Appendix 2.)
 - b. supporting the Area Boards by attending meetings and raising awareness of the role and work of the Committee and the local standards framework.

- c. regular meetings between the Chairman of the Standards Committee, Leader and Chief Executive to maintain communications and exchange areas of development and opportunities.
- d. working collaboratively with Cabinet, Overview and Scrutiny Select Committees and the Audit Committee in improving the Council's governance arrangements.
- e. reviewing the effectiveness of the Constitution. The Committee has set up arrangements to review the Constitution from January 2010 as requested by Council at its meeting in June 2009. The Constitution is an essential part of the Council's governance arrangements and provides the framework for open and transparent decision making.
- f. overseeing the Council's complaints handling to ensure that complaints are dealt with efficiently and lead to improvements in services to the public.
- g. provision of suitable training on the Code of Conduct.

Work with Parish, Town and City Councils to support them in their application of the local standards framework

15. The Committee's outreach to Parish, Town and City Councils is a key priority for the Committee and by far the most challenging in terms of time and resources, given the large number of councils involved - 256. The Committee has taken some initial steps towards this by sending a welcome pack to all town, parish and city clerks in August 2009. This included:
- A DVD by Standards for England called "The Code Uncovered";
 - A book contributed by the Wiltshire Association of Local Councils called "The Good Councillor Guide";
 - A leaflet on the Code of Conduct for each elected member;
 - Information about dispensations;
 - Contact details for officers in Wiltshire Council who support standards and governance work;
 - A leaflet introducing the Wiltshire Association of Local Councils;
 - A letter from the Chair of the Standards Committee and the Monitoring Officer which invited clerks to contact the council if they wished to discuss training or workshops on the Code.
16. A key element of the support to be provided to Parish, Town and City Councils is training for clerks and councillors on the Code of Conduct and the local standards framework. The Communication and Training Sub-Committees are putting together a training pack for these purposes and a training programme is due to be finalised shortly. Wiltshire Association of Local Councils' (WALC's) representative, Katie Fielding, who has an extensive knowledge of the parish and town councils in Wiltshire, has been closely involved in this work. Training will be provided on a systematic, rolling basis over the next few years, giving priority in scheduling to councils in particular need.
17. Advice and support on the Code of Conduct is available generally to Parish, Town and City Councils and will also be targeted to councils where there are problems. The Committee needs to consider how it can encourage and facilitate Parish, Town and City Councils in accessing support on wider issues of governance, particularly through

membership of WALC and NALC.

18. The Communications Sub-Committee has developed a Communications Plan which provides for other means of support to Parish, Town and City Councils.

Inform and engage the public on standards in local government

19. The Committee recognises the importance of informing and engaging the public on standards in order to increase trust and confidence in local democracy. It is already publicising the Code of Conduct, how to make a complaint, and the work of the Standards Committee through the publication of leaflets for distribution to hub offices, libraries, CABx, as well as being accessible on Wiltshire Council's web-site.
20. The Committee would wish to seize opportunities for greater engagement with the public by providing appropriate articles on the Council's web-site and external communications, as well as through public meetings and roadshows e.g Local Democracy Week.
21. Action on these should be taken forward in accordance with the Communications Plan.

Promoting standards in partnerships

22. In seeking to promote high standards of conduct across local government in Wiltshire it must be recognised that the discharge of the Council's business increasingly involves engaging with partners in the public and voluntary sector. The Council has a partnerships protocol in place, which it uses to ensure that its partnership governance arrangements are robust and sound. Further development of the protocol is, however, desirable to promote good ethical governance in partnership working.
23. Work in the areas covered by the first four proposed goals is already underway, as outlined above, but following through on all the actions linked to those goals is likely to draw on all the available resources for the foreseeable future. Work on promoting standards in partnerships will be undertaken as soon as time and resources permit.

Proposed Plan 2010 - 2014

24. A copy of the Committee's terms of reference is included at Appendix 4 for ease of reference.
25. A copy of a plan setting out the above goals and related actions with target dates, is attached at Appendix 5 for the Committee's consideration.

Environmental Impact

26. None.

Equalities Impact

27. The proposals in this report are consistent with the Council's Equality and Diversity Policy.

Financial Implications

28. There are none arising directly from this report. There will be costs associated with the implementation of the proposed plan e.g. training, printing costs. These will be met from within existing resources.

Legal Implications

29. Approval of the plan will enable the Committee to discharge its legal responsibilities more effectively.

Proposal

30. The Committee is asked to:

- a. agree its priorities and actions for 2010 -14, as set out in the plan attached at Appendix 5.
- b. review its forward work programme accordingly.

Reason for Proposal

31. To ensure that the Committee discharges its role and responsibilities effectively and makes the best use of its resources.

Ian Gibbons
Monitoring Officer

Report Author: Ian Gibbons

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

The highly effective standards committee

Benchmark for effective standards committees

We have developed these indicators of a well functioning standards committee as our starter for 10. These are not for discussion or debate but are offered as a starting point for your deliberations.

Processes

- Case handling
 - Cases dealt with in time
 - Complaints about the process
 - Consistent approach to judgements and sanctioning
- Training identified and delivered – range and depth
- Protocols in place and reviewed regularly
- Transparency
 - Publishing interests on website
 - Gifts and hospitality register available via the website
 - Publicity about the Code
 - Who gets the annual report?
 - Information about the standards committee accessible via the website
- Proactivity
 - Have a work programme
 - Training – how much and who to
 - Promoting the work of the standards committee
 - Links to audit committees where they exist
 - Links to other internal stakeholders
 - Joint standards involvement with partnerships
 - Outreach to parishes

- Leadership
 - Monitoring Officer on senior management team
 - Executive member has standards in their portfolio
 - Regular meetings between the chair of the standards committee and the leadership of the council
 - Public awareness of the committee and ethics generally
 - Ethics and standards integrated into the operation of the authority

Impact

- Improved standards of conduct
- Fewer complaints about members
- Source of complaints
 - Fewer member on member complaints
 - Increase in complaints from the public
- Subject of complaints
- Testing the impact of training (own and parish and town council members)
- Trust in the authority is improving – eg measured through Citizens Panels or equivalent
- Level of public awareness of the standards committee

Learning

- How the committee learns and develops itself
 - How the committee keeps abreast of “case law” and effective practice
 - Attendance at conferences and networks
 - Extent of individual and committee networking
 - Undertaking formal reviews of the effectiveness of the committee
 - Performance review of standards committee members

Wiltshire Council Corporate Plan 2010-2014

Everybody Matters

Executive Summary

Welcome to the 2010-2014 Corporate Plan for the new Wiltshire Council.

The Plan sets out the contribution that the council and its activities will make towards improving the quality of life for people living and working in Wiltshire. The council, and Wiltshire as a whole, is facing a difficult and challenging time over the next four years and beyond. However, it is also recognised that our new organisation is in a great position, and its employees are fully committed, to ensuring that we meet those challenges and that Wiltshire continues to be a place of choice to live and work in the south of England.

Our vision

While the place we live will always have a major influence on our quality of life, it is our communities that are at the heart of the area and give us a sense of well-being and belonging. Strong communities are better placed to cope with changing and challenging circumstances and they will often possess the tools and the means of finding their own solutions to many of the problems they face. Such communities tend to require less intervention from public services, which in turn reduces pressure on increasingly scarce resources.

Our vision for Wiltshire is therefore to **create stronger and more resilient communities**. The vision is underpinned by 3 key goals, all of which have people and communities as their focus:

- **Deliver high quality, low cost, customer focused services** – putting the customer first and ensuring that we are providing what our customers need and want, in a cost-effective way which demonstrates value for money.
- **Ensure local, open, honest decision-making** – engaging with communities so that people are contributing to the decisions that affect them and their local area.
- **Working together to support Wiltshire's communities** – across the council and its partner organisations, focusing on the needs of people and communities rather than on specific services and departments.

Our priorities

Our chosen priorities must reflect our overall vision and goals, address the most pressing challenges facing Wiltshire, and respond to what you, our customers, have said. At the same time, we have to realise that we cannot do everything when it is clear that we must reduce the cost of our activities over the coming years. Identifying clear priorities helps us make choices when resources are not sufficient to deliver everything we might want to.

We have focused on the things that matter most to everybody, the 'themes' that encompass our lives, and considered the main priority under each:

Family/People: the welfare of family, friends, colleagues etc.

Our priority – Working in partnership to support vulnerable individuals and families

Our priority – Increasing the potential of young people

Community: our sense of belonging, our social well-being

Our priority – Local voice, local choice

Place: what it feels like to live here, the importance of the wider environment

Our priority – Improving our roads and pavements

Our priority – Supporting the local economy

Our priority – Meeting housing needs

Our priority – Reducing our environmental impact

As an organisation, the council itself also needs to prioritise its own activities to ensure that we achieve our stated vision and can support the priorities under these themes. As a new organisation in this economic climate, we need to be determined in ensuring that the council is fit for purpose.

Our priority – Achieving savings, efficiency and value for money

Our priority – Customer focus and improved access to services

Wiltshire Council Corporate Plan 2010-2014

Everybody Matters

Contents

1. Introduction
2. Life in Wiltshire Today
 - 2.1. A place to live and work
 - 2.2. Our communities
 - 2.3. People and families
 - 2.4. The council
3. Vision and goals
4. One council, one culture
5. A change of perspective
6. Our priorities
 - 6.1 Working in partnership to support vulnerable individuals and families
 - 6.2 Increasing the potential of young people
 - 6.3 Local voice local choice
 - 6.4 Improving our roads and pavements
 - 6.5 Supporting the local economy
 - 6.6 Meeting housing needs
 - 6.7 Reducing our environmental impact
 - 6.8 Achieving savings, efficiency and value for money
 - 6.9 Customer focus and improved access to services

1. Introduction

The world around us is changing in almost every respect. Some aspects of our lives are changing very quickly such as the economy or through advances in technology, while other things are changing more gradually such as the average age of the population or the climate on the planet. The things we need and want as well as the place in which we live continues to change and evolve.

In such an environment, people and organisations have to develop new ways of thinking, new ways of working, and even new ways of living in order to respond to and keep up with the pace of change.

The move to a single local authority, the creation of the new Wiltshire Council, represents the first radical step forward in providing a modern organisation which is equipped to handle the challenges of the changing world and play its part in shaping life in Wiltshire.

Everybody Matters is our plan for setting out how the new council will evolve, what we aim to achieve and why, and how and when we will do it. We need to be clear about our direction so that all of Wiltshire's residents can understand what we are trying to do and how it will affect their lives. In many aspects, the plan also helps to illustrate where citizens and their communities can play their part in ensuring Wiltshire remains a place people choose to live and visit.

2. Life in Wiltshire today

There are many things that determine what life is like in any area – is the economy prosperous, are there enough houses, can people afford to live here, are the villages, towns and the countryside

pleasant places to live and visit etc. Various national and local surveys provide us with an overview of what people consider life is like in Wiltshire and how happy they are living here.

The most recent Place Survey* demonstrated that 85.9% of residents are consistently very satisfied with Wiltshire as a place to live, comparing favourably with the national figure of 79.7%. There are many reasons why people are content with life in our county.

As a rural county, Wiltshire is a naturally beautiful place with a landscape which commands international recognition, with nearly half of that landscape being classed as Areas of Outstanding Natural Beauty. The county is steeped in cultural heritage with a wealth of archaeological and architectural treasures and has a large number of historically significant features. Our towns and villages reflect and enhance the beauty of their rural setting. As the survey shows, our physical surroundings play a major part in making the county a place in which people choose and are happy to live.

A look at some of the key statistical indicators demonstrate many more clear reasons why we have much to appreciate :

- People are healthier and live longer. On the vast majority of indicators people are healthier than the national average and life expectancy for both men and women is approximately 2 years (and rising) above the national average.
- Crime rates are amongst the very lowest in the country, and are falling year on year, making Wiltshire one of the safest places to live.
- Unemployment is consistently lower than the average across the country
- Average income per head of population is higher than the national figure
- The level of qualifications amongst the working population is higher than the national average

In a great many ways, we are therefore proud of the contribution the new council, and its predecessors, has made to the quality of life in Wiltshire. However, we recognise that in this rapidly changing world, we are all going to have to work hard to maintain and protect that quality of life in the face of some considerable challenges over the coming years.

2.1 A place to live and work

The well-documented global and national economic problems have an impact on Wiltshire and its residents. On one hand, as has been stated above, we are in a relatively strong position to cope with the recession. Low unemployment and high levels of entrepreneurial activity suggest that we will be less badly affected than most other parts of the country. That said, the downturn will cause many difficulties for people and businesses and the council has to be committed to providing assistance wherever possible.

To this end, working with our partner organisations, a plan has been developed called Action For Wiltshire which details the measures we will undertake and assistance we will provide to ensure that our residents and businesses are supported through these difficult economic times. Some of these actions include the provision of £290k of financial support to the Citizen's Advice Bureau to help them manage the increased demand on their services and setting up a helpline to provide advice for small businesses,

As Wiltshire is such a popular place to live, house prices continue to be higher than average in comparison to levels of income. This places continual pressure on people and their ability to remain living in their local town or village, often forcing them to leave the county for places offering cheaper housing. The council is therefore committed to providing greater levels of affordable housing to ensure that those on lower incomes are not excluded from living in the county. Initiatives to build an additional 400 affordable homes are underway and the council has recently

been given government approval to start building additional 'council' houses to assist with housing the less affluent amongst the population.

One positive sign for the future is that although house prices remain high compared with average earnings, the gap between Wiltshire and the rest of the country is getting smaller meaning that the problem is improving slowly.

A further challenge facing the council is the requirement imposed by central government to build an additional 44,000 homes in the area by 2026. This has huge implications for Wiltshire in terms of spatial planning and the associated infrastructure and environmental considerations. Following extensive public consultation, we will be producing a Core Strategy for Wiltshire which will set out how our place will develop in terms of housing and business growth and as such, the strategy will be a major driver in determining what life is like in the county.

Climate change will remain a major challenge for the world and for the local authority. As well as the need to dramatically reduce the overall environmental impact that our lives have on the planet, we will also need to manage the affects and implications of increasing temperatures and changing weather conditions. Like all councils, Wiltshire now has CO2 reduction targets to achieve both as an organisation and for the county as a whole. We have also signed the Nottingham Declaration on Climate Change which is a statement of intent demonstrating our commitment to tackle climate change - addressing both its causes and its impacts.

In large rural areas like Wiltshire, with widely dispersed towns and villages, developing and maintaining a safe and effective highway infrastructure is essential. Our county is joined together by a network of over 2,700 miles of public roads which, due to the fact that almost all of our residents make use of them, feature highly in people's thinking. The most important feature of a highway network is, of course, safety and this has always been our primary focus. Although the numbers of accidents resulting in fatalities or serious injuries has been falling consistently over the last decade, we need to keep working closely with partners such as the Police and Highways Agency and ensure that trend continues.

The maintenance of our highways is an aspect which our residents regularly consider needs improving. The overall trend for the roads in Wiltshire in recent years has been one of improvement, and our carriageway conditions compare favourably with many other highway authorities, especially our B class roads and minor roads which are in better overall condition than other shire counties in the South West. However, we know we need to get better so we have recently reviewed all of our systems for repairing dangerous potholes and dramatically improved the speed of our response, from taking an average of 3 days in 2007 to a current average of less than a day. This has been a real challenge considering the additional damage to our carriageways sustained during the freezing conditions in the winter of 2009.

2.2 Our communities

While there are many things that influence people's quality of life, it has become clear in recent years that one of the most important aspects is a sense of belonging, being part of a 'community'. People living in places which have a strong sense of community, a healthy community spirit, tend to enjoy a better quality of life both in a physical/material sense and in terms of their general well-being.

It is also clear that in neighbourhoods where there are strong social networks with a range of voluntary groups and clubs taking an active role, the burden on public services is dramatically reduced. This means that communities are better placed to look after themselves in many aspects of life without needing expensive intervention from public service organisations.

Recognising that people can become disengaged with their communities and local democracy, in recent years the local authorities in Wiltshire have increased their activities at a more local level. Local residents have been engaged in dealing with community issues through Area Partnerships and Area Committees, resulting in real benefits such as the creation of Local Area Plans, the provision of funding for local community projects, and an increase in the number of residents becoming engaged in volunteer activities. Wiltshire can be proud of the fact that 29.6% of its residents are regular volunteers against a national average of 23.2%.

Without doubt, the good work done in recent years by the councils and their residents has had a positive influence. The previously-identified high levels of satisfaction with Wiltshire as a place to live, the low levels of crime etc. all help to show that we are all heading in the right direction, However, despite the positives, over two thirds of our residents feel that they are unable to influence local decisions and there remains a general lack of trust and confidence in the government and its institutions.

The challenge for the council is therefore to rebuild people's confidence levels by encouraging them to have a greater involvement in the decisions that affect them, thereby ensuring that local people are influencing the way their local area changes. By being open and honest we can start to rebuild the trust in democracy.

Investing in our communities and ensuring that people have a voice in the decisions which affect their lives was at the heart of move to a unitary council. The cornerstone of our approach to this has been the creation of 18 Community Area Boards across the county. The Boards will concentrate on issues affecting their respective local areas and aim to re-connect people who currently feel detached from their communities and feel that they do not have a voice. Collectively, the council has invested £750k for this year, rising to nearly £3m over the next 2 years, for Area Boards to invest in projects and activities which they consider to be valuable in building resilience in the communities and bringing people together.

Recognising that it will take harmonised effort and engagement from many sources to strengthen our communities, the council has established a new Voluntary and Community Sector (CVS) Support Unit. Encouraging greater levels of volunteer participation and co-ordinating and targeting the activities of those organisations will reduce the burden of public service involvement and be of enormous benefit to our communities.

2.3 People and families

Life expectancy has been increasing for many years due to advancements in science and improving standards of health care. In the modern world, populations are now living longer and the proportion of elderly people in our society is increasing. There will be many impacts of having an older age-profile in Wiltshire however, the key challenge for the council will be the increasing number of adults requiring long term adult care.

In response to this long term challenge, the way that adult care services are provided by the council has been reviewed is now being radically transformed. As well as ensuring that the widening range of needs are catered for, Adult Social Services will also focus on preventative approaches to promote people's independence and well-being, resulting in a reduction in people requiring comprehensive and costly intervention by the council.

Some families in Wiltshire are vulnerable to experiencing inter-related difficulties which require greater levels of assistance and input from the council. Family breakdown, drug and alcohol problems, domestic violence, child protection problems and other such concerns are all often found in a relatively small number of families or households. Such families are caught in a cycle where one problem tends to lead to another.

To break this cycle and to improve their chances of lifting them out of a vulnerable situation, the council is committed to establishing early and sustained relationships with these families, cutting across its own department-based Housing, Children's and Adult Services and working closely with our key partner organisations such as the Police and Health Services. In short, the intervention of the council in this way will help to ensure that many of the difficulties do not turn into larger problems in the future, prevention being better than cure.

There is a particular problem with a rising number of young people, 16 to 19 years olds, who are neither in the education system nor in employment, referred to as NEETs. They can, very quickly, become entrenched in a non-productive way of life and the longer their predicament persists, the harder it is for them to re-engage. Some end up with a life-time dependency on intervention from public services with the added problem of passing that acceptance of dependency on to their children.

The council, and indeed the country as a whole faces the challenge of reducing the numbers of young people who are not in education, employment, or training in order to prevent larger, longer term problems. As well as making sure we are identifying and tracking the progress of NEETS in the county, we are also working to ensure that they have flexible and comprehensive access to learning giving them the best opportunities to succeed in securing suitable employment. Direct assistance is given through targeted Youth Support and offering personal advice and guidance in support of existing employment services. Further assistance is being provided through Education Maintenance Allowances which provide financial incentives and support for young people remaining in education or in training.

The health and well-being of our population is also a challenge for the council. Unhealthy lifestyles, inactivity, obesity, drug and alcohol use, and the associated long-term health conditions are all placing an increasing burden on public services and also have a negative affect on the local economy. Along with our partners, the council has a key role to play in helping to improve and maintain the general levels of health in Wiltshire, whether that be through educational means or by offering incentives, for example providing free swimming for the over 60's and under 16's.

2.4 The council

Taking into consideration the challenges facing Wiltshire as an area, its communities and the people living here, it is clear that the newly formed unitary council must be an organisation that is fit for purpose. To ensure that we continue to operate responsively and effectively our organisation, your council, will need to continue to build on the benefits and successes of the move to one council. We will need to go beyond our stated **LGR** aims if we are to continue to deliver in the rapidly changing environment.

One of our key **LGR** aims was to ensure that the new organisation developed a genuine and sustained focus on our customers. We had a real challenge in ensuring that our customers had reliable access to the council and our services on 1st April 2009 and through the transition period. To make this happen we provided face to face customer services in all of the main council locations and introduced a single main contact number and dedicated numbers for specific service areas.

Through our Customer Access To Services Strategy, we are now committed to enabling all our customers to have simple and easy access to the services they need, ensuring that their experiences are positive and constructive, and ensuring that we get it right first time. This is not simply about improving our reputation and increasing satisfaction levels, it is also about being efficient and eliminating unnecessary time and effort. Quite simply, a customer focus saves money.

Over the last decade, economic prosperity has allowed for considerable investment in the range of public services and in society-shaping projects. The recent global financial crisis and the

subsequent legacy of high levels of national debt will result in pressures on public service budgets over the next decade. In terms of grants from Central Government, Wiltshire is already one of the lowest funded councils in the country and as a result of the recession, the amount of income we generate has dropped. We intend to keep council tax as low as possible and therefore we will need to work much smarter, using our resources in the most efficient way if we are to improve and maintain the quality of life in Wiltshire.

The move to one council has already delivered £8.5m of efficiency savings in its first year. Having become a single organisation, the harmonisation of our services across the county is the next challenge in the short term however in doing so, we are also undertaking an extensive programme of 'Lean' reviews of our systems, processes, and services. The aim of these reviews is to ensure that we are providing our customers with effective services, using our resources in the most efficient way possible, and eliminating any wasted time and money from our activities. It is anticipated, and possibly essential, that we will go far beyond our original LGR savings and efficiency targets.

Many services and activities undertaken by the council have close links and overlaps with those of other public service providers such as the Police, NHS, PCT, and Fire Service. We therefore need to work much more closely with these partner-organisations to identify the most effective way of meeting our customers' needs and to ensure that we do not duplicate our efforts and waste resources. We already have well established partnership groups which have looked at the overall, strategic approach that public service organisations take, such as the Wiltshire Assembly. We now need to take this further and start looking at the actual activities we are all involved in and find ways of improving what we do and reducing the cost of doing it.

3. Vision and goals

What is the main role for Wiltshire Council? What is its purpose? The answer is that its role is extremely wide ranging and it will change over time to reflect the pressures and opportunities that emerge for its people and its communities. Whilst it performs many functions because it is required to by law, it retains flexibility in many areas to adjust its focus according to the needs of its people and its communities. Its activities will influence lives either directly or indirectly but in short, the council is the main body influencing the quality of life in the area and it takes that responsibility very seriously.

It is recognised that the council alone will not be successful in tackling all of the issues facing the people of Wiltshire. The demands being placed on local government and the increasing pressure on resources means that it is vital that the challenges ahead are tackled through working closely and collaboratively with Wiltshire's communities. We must share the responsibility for making Wiltshire a great place to live, work and visit, and this means developing both the capacity of the organisation and of the community to respond to the challenges ahead.

3.1 Our vision

Therefore, the key strategic aim for Wiltshire **is to create stronger and more resilient communities** with the key outcomes being a clear improvement in the quality of life for everybody in Wiltshire and a reduction in the amount of necessary intervention on the part of the local authority, helping to reduce the cost of public services.

The vision is founded on that sense of community spirit. We want to encourage and support local communities to get involved and work with us to strengthen their ability to deal with local challenges. We want to work closely with town and parish councils, voluntary groups, local people in general to establish what the community needs and to help provide that in the most sustainable and effective way.

To help us, as an organisation, remain focused on delivering our key strategic aim, we have identified three key goals which will underpin everything we do and act as challenging guidelines to all of our activities. Our key goals are as follows:

- **Deliver high quality, low cost, customer focused services**

We need to provide services Wiltshire actually needs, at a quality standard our residents actually want, and doing this in a cost effective way which represents value for money. There is always the risk that we try to provide something at the highest possible standard regardless of the cost, when something less grand, less complicated and less expensive is all that is needed. We therefore need to understand what our residents and the area need, and design our services and activities accordingly.

We also need to understand that our residents and visitors, our customers, are the most important people to consider when designing and delivering services. Our focus, for everything we do, must be on the customer to ensure that people are satisfied with what we are doing.

- **Ensure local, open, honest decision making**

If we are to strengthen our communities and ensure that they develop a strong sense of independence, we need to make sure that decisions which affect them are made by the communities themselves. To feel a sense of ownership and belonging, the people must be able to contribute directly to the decisions that change things in their local area.

We also need to ensure that we are very clear about the decisions we make, and the decisions made locally, so that people can understand why something is changing even if they are not in full agreement. An open and honest approach is essential if we are to build trust in our communities.

- **Working together to support Wiltshire's communities**

Across the whole of the new council, we have to make sure that all of the departments are working closely together in support of our communities. Council activities and services have traditionally been very separate with each service being seen as a specific means to an end. We must think about the needs of the community and our citizens rather than worrying about who does what to whom in the council.

There are many partners, both public service providers and voluntary organisations, with whom we need to work more closely and effectively in support of our communities. We need to understand each other's work and activities and make sure that we are not working against each other or duplicating our efforts. Partners working together with a shared community focus will be much more effective in delivering our vision.

3.2 What will success look like?

Achieving our overall Vision will require some major shifts in thinking and behaviour, not just from the council but from all the residents in the county. Strong and resilient communities will improve the quality of life for us all and, at the same time, lead to a reduced intervention from, and therefore the cost of, public services.

There are many factors which will contribute to our success. Our vision is of communities:

- that are places where people **choose** to live and work
- where people take pride in their town or village

- where people from all backgrounds, ages and beliefs feel valued, included, and are treated with respect
- where people volunteer and get together to tackle local concerns
- with many 'social networks' allowing people to be active and involved
- which possess the skills and businesses to generate jobs to meet local employment needs
- which are informed about environmental issues and actively create local solutions
- where children and young people enjoy life and achieve their potential in and out of school
- where people get involved in democratic processes and have a voice in shaping the present and the future of their area
- which promote healthy lifestyles

In summary, our vision is for communities where a strong spirit and sense of belonging enable them to rise to, and cope with, current and future challenges.

4. One council - one culture

The move to one council brought together five separate organisations with their own individual strengths and weaknesses, their own ways of working and of delivering their services, and their own values and behaviours that their respective organisations expected. To successfully achieve our vision and goals, we need to create a single culture to support the change of focus for the council.

We want to be an organisation that works corporately, understands that our citizens look at us as a whole and not as individual services and therefore our behaviour and values should reflect this. Every member of staff needs to embrace a 'can-do' attitude and have a commitment to help the citizen and community, to help solve a problem even if it is not part of their specific job.

We need to approach our work with the enthusiasm and commitment necessary to inspire confidence in our citizens, confidence that we have their best interests at heart in all that we do. We also need to value and recognise the contribution of our staff and elected members and equip them to carry out their roles in an efficient, effective and friendly manner. In short, when we say "everybody matters" we must mean it.

Achieving a cultural shift will take time, focus, energy and the belief and drive of all leaders and managers to make it happen. To start with, it is vital to agree what we consider to be important values and ways of working, and translate them into clear behaviours and actions. Staff, elected members, and our customers, must be aware and understand what is expected of them so we are all clear about how to move forward.

The values and behaviours are:

- **Focusing on the customer** – put customers at the heart of what we do, listen to and involve them, be honest about what we can do, be an ambassador for the council.
- **Being inclusive and supporting others** – build trust, be available, be open and listen, allow others to express their views.
- **Creating clarity** – clear direction, focus on what's important and on actions that make a difference, communicate.
- **Leading through change** – provide a positive vision for the future, support and involve people, trust others to deliver.
- **Being decisive** – take ownership for decisions, take the initiative, create 'can-do' attitude.
- **Treating others with respect** – individuals matter and deserve respect, act consistently, be open fair and honest

- **Challenging the norm** – seek ways of doing things differently, encourage innovation, be receptive to new ideas.

5. A change of perspective

If we are to be successful in delivering our vision and goals, and if we are to continue to provide for our communities and citizens in a rapidly changing environment, we need to develop a new way of thinking and a new way of looking at the role of the council and our partners in influencing the quality of life in Wiltshire.

Local authorities have traditionally organised themselves and looked at their activities in terms of the specific services they deliver which has had the result of creating 'silo' based organisations which do not always reflect the real needs of their customers. We have designed and delivered services to suit specific needs and drivers rather than thinking of our overall relationship with our customers in all aspects of their lives.

We recognise that in order to start thinking about people and their relationship and experiences with the council during their lives, we will need to change our structures, processes and services. We need to join up our services, not just across the council but across all of our partner agencies and all those engaged in delivering public services. It does not matter which part of the council or which particular partner is responsible for something, what matters is what works for the customer.

The relationship between the council and any citizen starts at birth and continues right through a person's life until death. The council's engagement at these two pivotal moments is as simple as registering each event however, in between the two, every citizen has a constant, often unnoticed engagement with the local authority. The basics are easy to identify – we all go through the education system, we all have our refuse collected, we all use the roads and pavements, we all have the opportunity to vote and use leisure centres, and of course, we all have to pay our council tax. Beyond this, people have to call upon the council for an enormous range of services depending on their particular circumstances in life. For example, you may require planning permission, an area may need a subsidised bus service to prevent isolation, some children may require protective services, and elderly people may require long term care.

The council maintains some form of relationship with an individual throughout the time that person lives in Wiltshire and we all have a relationship with Wiltshire as a place, with the community we live in, and of course, with our family, friends and the people around us.

As a new unitary authority, Wiltshire Council has the opportunity to transform the way it provides services to individuals and families, how it engages with the community it serves, and what it does to further enhance the attractiveness of its rural and urban spaces. The agenda is huge and by necessity the council needs to focus its efforts on a small number of priorities. We have concentrated on the things that matter most to everybody, the 'themes' that encompass our lives – place, community, and people - and considered the main priority under each.

6. Our priorities

Family / people:

6.1 Working in partnership to support vulnerable individuals and families

Working more effectively with our partners at the local and strategic level is essential to creating stronger more resilient communities. At the local level, area boards provide councillors with the opportunity to fulfil their community leadership roles engaging with local people and partner agencies, taking forward a common agenda. At the strategic level, the Wiltshire Assembly, the

PSB, the WCG and a number of thematic partnerships now form the new family of partnerships and have responsibility for delivering the LAW and LAA. They allow services across different sectors to be planned and coordinated together, with the future potential to align budgets, join public services together, and achieve results that could not have been possible by agencies working alone.

Vulnerable individuals and families demand the input of many public service providers, often in isolation from each other. Effective partnership working will result in early and appropriate intervention to resolve problems and improve prospects, focusing on the issues of those people rather than concentrating on which service is supposed to be doing what.

Why a priority?

- It is widely accepted that Wiltshire Council is the lead public sector organisation speaking on behalf of Wiltshire's communities. However, it is also recognised that, despite its size, the council cannot act alone and must work effectively and closely with a wide range of partners. The need for this collaboration has grown significantly in recent years, and is now essential if we are to effectively deal with the complex inter-related challenges affecting our communities.
- The Council is a key player in the delivery of the LAW ambitions and LAA targets and success in doing this depends on close joined-up working with partners.
- The future financial pressures on the council will necessitate more innovative and closer working with our partner agencies to improve the efficiency and value for money achieved.
- Partnership working is a fundamental element of CAA. Our success in CAA will be judged, at least in part, by the extent to which we engage with partners to deliver positive outcomes that meet community needs.
- The original LGR bid to become a unitary council recognised the need to go beyond simply creating a unitary council and to move towards an ambitious 'unitary plus' solution. This envisages a future where the resources and capacity of public agencies could be maximised through management integration, joint commissioning, shared services, and joint policies and strategies.
- Vulnerable individuals and families tend to experience a variety of problems which can lead to increasingly expensive and resource intensive intervention from separate public services. Partnership working to ensure early and appropriate intervention will lessen the frequency and severity of these problems, will reduce the requirement for intervention, and result in the individuals and families realising their potential and having a better quality of life.

6.2 Increasing the potential of young people

Young people can make a positive contribution to creating stronger and more resilient communities in many different ways. This includes through work and their contribution to local economic prosperity, in enjoying life and becoming involved in community activities, promoting understanding between different groups, and reducing the feelings of insecurity especially amongst older people. However, they do need support to fulfil their potential and to counter the false negative perceptions that some people have about young people.

Why a priority?

There are a number of inter-related issues that make young people a priority for the council.

- The provision of excellence and choice in education is a political mandate and there is recognition that there is a need to narrow the educational attainment gap. School attainment varies considerably between children of different backgrounds and between different schools.

Children with special educational needs, in care, and in receipt of free school meals often under-perform in examinations compared to other children. There are also wide variations between schools with some performing extremely well whilst others perform poorly.

- Young people not achieving examination success may increase the possibility of them becoming NEETs (not in education, employment or training). If left unchecked, this can lead to a dependency on benefits and continuing intervention from public services. The number of NEETs in Wiltshire is relatively small but it is increasing and needs to be reduced to prevent longer term problems and escalating public costs.
- Reducing child poverty is a national issue and the government intend to place a new duty on local authorities to work with partners to lift children out of poverty. The main cause of poverty is inadequate income, arising from unemployment or low wages. Poverty has costs to both the individual and society and can be seen to limit the potential of local communities. Children living in poverty can experience low educational achievement and poor health which in turn can impact on long term economic growth and demand for public services.
- In the Place Survey, facilities and activities for children and teenagers is identified as important in making somewhere a good place to live and needs to be improved. A lack of activities, especially for teenagers can lead to potential crime related problems including anti-social behaviour.

Community:

6.3 Local voice local choice

Giving people opportunities to get involved in local democracy and the ability to shape and influence decisions affecting their lives is very important in creating stronger more resilient communities. It creates many benefits including fostering a sense of ownership and pride in an area, encourages local action and voluntary work, and promotes more openness and trust in the community itself and with public agencies.

Why a priority?

- Local area governance formed one of the key elements of the 'We're ready..' bid for a unitary council. It was recognised that we needed to strengthen community engagement in local decision making by creating Area Boards. These are now in place and the challenge is now to generate greater citizen interest and engagement, and for services to be organised so that they can respond effectively to community priorities and issues.
- A key feature of a resilient community is that there are opportunities for people to be involved in discussing and shaping the decisions that affect their lives. In 2008 less than a third of residents agreed they could influence decisions affecting their local area. Although this is higher than the national average it needs to be substantially improved.
- Recently, there has been a loss of trust and confidence in government generally. This can result in people being sceptical about the work of the council and disengagement from democratic processes. This reinforces the need to maintain and enhance our relationship with local communities and ensure we are responsive to their needs and aspirations.

Place:

6.4 Improving our roads and pavements

The standard of roads and pavements and the access people have to services, jobs and other facilities has an influence in determining where people want to live and work and by inference on

the strength and resilience of communities. It can have a marked impact especially in rural areas, where poor roads can limit local economic growth, new housing development, and the provision of public transport services.

Why a priority?

- The quality of the street scene has a major impact on how people feel about an area and their commitment to it. The Council has a lead role in ensuring the street scene, especially roads and associated infrastructure is properly maintained.
- An effective road network is vital for Wiltshire, particularly in respect of the local economy, giving access to services, and in linking rural and urban areas to the principal road network. Future challenges may include having to cope with more adverse and extreme weather conditions.
- Improving the condition of roads is a local political mandate. This reflects a long standing public dissatisfaction with the standard of road maintenance, road safety and journey times. In local surveys road repairs is the service identified as most in need of improvement and future investment.
- Area Boards represent a key challenge for the highways service. Analysis of the Area Board issue logs shows that over half of all the issues raised by residents are concerns about roads and other related matters (120 out of 237 issues raised at 23/9/09 across all Area Boards).
- Most of the council's highway and related functions are delivered under contract. Whilst performance has improved in 2008/09, the negative perceptions and views of the public have remained largely unchanged. The contracts are due to expire in 2011, and this may provide an opportunity to review, reconfigure and improve the service provided, so that it better meets the needs and expectations of the community.

6.5 Supporting the local economy

Local business activity and the provision of a wide variety of local jobs makes an important contribution to creating stronger and more resilient communities. It provides local wealth and minimises deprivation, fosters self-sufficiency and reduces dependency, indirectly promotes health and well-being, and helps to maintain a balanced population age profile. The loss of local businesses and jobs can have a profound effect on the vibrancy and confidence of local communities.

Why a priority?

- Giving support to the local economy during the economic downturn is a national and local political mandate. A strong local economy is important to providing local jobs, creating wealth and in helping to protect people's general health and wellbeing. A prolonged recession can have many negative consequences in terms of levels of unemployment, debt, and homelessness and can lead to an increasing dependency on benefits and public services.
- Although Wiltshire has a comparatively strong local economy there are a number of worrying trends in terms of out-commuting, lower business growth and confidence levels, NEETs, and skill gaps in the workforce. There is also an over-dependence on public services for jobs in the county (?). This may increase its economic vulnerability given the envisaged public sector cuts required in the future.
- A number of town centres require regeneration projects to be brought forward to ensure their continued vibrancy in the future.

6.6 Meeting housing needs

There are 185,000 homes in Wiltshire and the provision of suitable housing to meet local needs is a fundamental element of creating stronger and more resilient communities. It has an impact in many different ways. For example, the standard and quality of housing can affect people's health and wellbeing; the high cost of housing can price people out of the housing market making it difficult for them to live in an area where they have family or other community ties; and homes in a poor condition that are not energy efficient are costly to run and have a negative effect on the environment.

Why a priority?

- The cost of housing in Wiltshire is approximately 10% higher than average, and at the same time the earnings of people working in the county is below average. This makes affordability a big issue for many people. The need for more affordable housing is recognised with demand far exceeding supply. The recent recession has further worsened the situation with less new housing being built and more people experiencing unemployment and debt problems, which could lead to an increase in home repossessions and homelessness. There are currently around 7,100 people on the council's waiting list for an affordable home. This has increased by xx over the last year.
- Homelessness can be a real problem for certain groups, including young people and those who are vulnerable. Around 400 people were accepted as homeless last year and this was focused in the urban centres of Chippenham, Salisbury, Devizes and Trowbridge.
- Many homes in Wiltshire are not energy efficient and this can result in higher than average heating bills and 'fuel poverty' for some people. It is also a contributory factor to climate change though increased carbon emissions.
- The council has a major leading role to play in improving the provision of housing in Wiltshire. This includes planning where new housing development will occur through the Local Development Framework, directly managing 5,400 council homes in Salisbury, and securing and allocating affordable rented housing across the county. It is also working with many other partners such as the Ministry of Defence to develop long term plans to provide housing for services staff.

6.7 Reducing our environmental impact

In Wiltshire we are fortunate to live in a beautiful county with a wonderful natural environment. However, that environment is increasingly under threat from a warming planet, pressure on the availability of natural resources, and an unsustainable demand for carbon-based energy use. We are therefore determined to protect and enhance what we have by reducing the overall environmental impact that our lives have on the planet. In addition, we also need to prepare for the unavoidable impacts the environment will have on us as the climate continues to change.

We want to strengthen our communities by encouraging them to adapt to the impacts of climate change, to reduce their own greenhouse emissions, and to make public their commitment to action.

Why a priority?

- The council has CO² reduction targets it needs to achieve as an organisation (NI185). This will impact on all of our activities as a council, both in the frontline services and those functions supporting the business. A further challenge is the requirement to reduce CO² emissions per head of capita across the whole county (NI187). Essentially this will require us to promote and facilitate reducing the carbon footprint of public and private sector businesses, households,

transport activities etc. and will therefore require commitment from all of our partners and residents.

- The climate is unavoidably warming and amongst the impacts of this will be a change in weather conditions. We need to set out how Wiltshire's public services are going to adapt and prepare for events like storms, flooding and heat waves to minimise disruptions. The council has a target to develop a Climate Change Adaptation Strategy (NI188) as part of the LAA.
- As with other large organisations, the council is now required to participate in carbon trading. Essentially this requires us to meet and exceed CO² reduction targets or risk having to purchase additional 'credits' with the associated, and considerable, financial and reputational implications.
- The People's Voice survey of 2007 demonstrated that the majority of residents are concerned by climate change and that they want the council to take the lead on tackling it.

Council:

6.8 Achieving savings, efficiency and value for money

It is important that the council is able to continue to provide key services which support strong and resilient communities and improve people's quality of life. People should feel public services are provided fairly and economically. It is almost certain the council will need to reduce its spending in future but at the same time it will also have to find ways of protect and enhance its key services to communities.

Why a priority?

- Achieving savings formed one of the key elements of the 'We're ready..' bid for a unitary council. It stated that by joining and integrating services together and applying 'lean' principles performance could be improved and costs significantly reduced. The government will judge our success in achieving the move to one council in terms of realising the savings promised. However, it is now recognised that this is just the start and the council will be required to make substantially more savings than first envisaged. This is due to the national economic position and the current pressure on public finances. A 20% reduction in government funding to the council may occur over the next five years.
- There are a range of significant financial challenges facing the council including carbon trading, landfill taxes, pay harmonisation, pensions, transport costs, council tax equalisation etc.
- There is a political mandate to reduce the rate of increase in council tax every year working towards a zero percentage rise.
- Less than a third of residents believe that the Council provides good value for money services (30%) which is below the national average for all councils (33%). However, there is considerable variation between groups. Families with children are least satisfied with the council and the value for money it provides. They may feel they pay high council tax and get very little in return (with many probably not realising that schools are part of the council). They make up nearly 20% of the population. Conversely people who live in council or social housing, often in receipt of benefits and are high users of public services are satisfied with the council and believe it provides good value for money. But they make up only 3% of the population.

6.9 Customer focus and improved access to services

For council services, a focus on people, to ensure their requirements are met is essential and forms a 'given' cultural value of the organisation. Like 'local voice local choice' above, putting the

customer at the heart of what we do, listening to and involving them to ensure services are shaped around their needs and concerns is an important part of stronger more resilient communities. For example, we must ensure equity of access and that people from different backgrounds and locations are not disadvantaged by a lack of access to services.

Why a priority?

- The demands and expectations of customers continue to rise with requirements for better services that meet customer needs, more choice and options, and easier access. Like most council's we have not kept pace with these trends and less than half of our residents are now satisfied with how our services are run (47.5%). However, whilst a low figure this is greater than the national average.
- Customer focus and access to services formed one of the key elements of the 'We're ready..' bid for a unitary council.

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One Council One Culture What will we be like?



Wiltshire Council

Where everybody matters





One Council One Culture

What will we be like?

Purpose

The purpose of this document is to set out in a concise and clear way what the new council will be like.

It focuses on the vision for the new council, the values that will underpin the vision and developing and building a culture that we all believe is the right one for our new council.

It also looks at what we need to do to establish a new council, when it needs to be done by and how it will be done.

The intention is that this document will help inform, communicate and provide clarity to all staff and members of what our new council will be like.

Our Vision

Creating stronger and more resilient communities

We will deliver;

- High quality, low cost, customer focused services,
- Local, open, honest decision making and,
- Work together to support Wiltshire's communities

It is clear that we must change to focus on improvement and respond to rapidly changing circumstances. We will need

to demonstrate we can deliver better and more efficient services and make a fundamental change in attitude and culture, engaging with citizens and working with partners in new and more innovative ways.

“Working together to support Wiltshire's communities”

Our role will be as the strategic leader of partnerships delivering key strategies, policies and services to diverse communities. In summary we will be a strategic and community leader that is focused on strengthening our communities as well as being a provider of key services.

We should grasp the opportunity to shape policies that are outcome focused, resulting in enhanced lives and wellbeing of our communities and environment for the future.

Our Culture

- One Council – One Culture
- Innovative – embraces change
- A great place to work

Cultural shift

It is important that we move towards one culture as we amalgamate five organisations into one.

We want to be an organisation that works corporately and openly, engaging its staff, citizens and communities and one that recognises its responsibilities to deliver high quality services and high quality leadership. We need to manage change with confidence and enthusiasm and look at change in the way we work as an opportunity. We want to value and recognise our members and staff and equip them to carry out their roles in an efficient and effective manner.

In shaping and establishing the new council we need to reflect these cultural values adopting a 'can-do' positive and motivational approach in everything we do.

We believe “Its going to be different”

Our Values – what will we be like?

To deliver a shift towards one culture it is important to agree what we consider are appropriate behaviours and ways of working and managing relationships. Managers from all of the existing five organisations have been engaged in translating the culture into actions and behaviours – looking at what we will do as well as what we won't do as leaders, managers and the deliverer of services to our communities.

The key values focus on;

- Strong Customer Focus
- Good communication and involvement

Making cultural shifts takes time, focus, energy and the belief and drive of all leaders and managers to make it happen. The transition towards the new council provides an opportunity to start work on establishing one culture and challenging behaviour that lies outside the emerging values. It is vital that all staff are aware and understand what is expected of them in adopting the behaviours and actions that deliver the key values.

We need to foster consistency in our approach to leadership and management and ensure our recruitment and selection processes, induction, training and development programmes and appraisals



incorporate the expectations.

Appendix 1 sets out the expectations and what these will look like. An example is;

Being inclusive and supporting others

What it is

Building trust, valuing openness and listening to understand the perspectives and views of others. Creating an environment where people feel able to express their views.

What it looks like

- ✓ Is accessible and visible
- ✓ Allows time to listen to others
 - Gives staff opportunities to be involved in discussions and decisions

Red Flags

- Adopts a command and control approach
- Closes down others through being judgemental or over-talking
- Doesn't ask others for opinions or ideas
- Is intolerant of difference

Our Values – what will it be like for our elected members?

Members have also worked on the key values and behaviours that they consider will underpin the new council including how they will manage relationships. As community leaders they agreed it is vital that they are role models for the actions and behaviours that will reflect and promote the new council. The core values they promoted are;

- Accessibility and visibility
- Responsive and “can-do” approach
- Smile and listen and be positive
- Respectful and fair
- Good clear communication

“High quality, low cost, customer focused services”

The Givens

In making our bid to Government for the unitary council we made four key promises that are now the givens that we will deliver;

- ✔ Efficiency savings of £18m per annum achieved by economies of scale and investment in technology
- ✔ Strong and accountable leadership at both a strategic and local level by strengthening democratic arrangements and empowerment of local members
- ✔ Substantially improved customer accessibility
- ✔ Substantially improved community engagement principally through the mechanism of empowered councillors and area boards.

- A brand new web site
- A Shared Service Team
- New governance arrangements for regulatory services
- Arrangements in place to elect members to the new council

Informing our customers and communities

Key to ensuring we get off to a good start, it is vital that we ensure every household in Wiltshire is informed of the new council, changes in service delivery and who and how to contact us if they have any queries or concerns.

What challenges do we face beyond April 2009?

- Transforming our services – placing our customers first
- Devolving and delegating some services to town and parish councils
- Strengthening the role of the Area Boards
- Delivering savings and efficiencies
- Embedding our culture and values
- Adopting a culture of continual review and improvement
- Having a clear, robust and evidenced understanding of our diverse communities and their needs
- Working with our partners and local communities to deliver services that reflect and meet local needs
- Delivering policies and strategies that focus on outcomes and are based on needs

This is an exciting time for the new council and a real opportunity to do things differently.

We need to build on what works well and embrace the challenge to change and evolve to reflect our communities and customer needs.

What will be different?

It is recognised that it will take time to establish the new Wiltshire Council and to transform and change the way we work. By April 2009 our key priorities are;

- To amalgamate five councils into one new council
- To ensure a smooth transition of all services
- To maintain or improve the quality of our services
- To implement the new SAP system
- To have Area Boards up and running
- To deliver a positive and effective communications plan

To support this we will have;

- Clear branding and identity
- Customer centres in main offices and other locations across Wiltshire
- A new main phone number plus direct service numbers

“Local, open, honest decision making”

Appendix 1

One Council – One Culture

What will we be like?

Making cultural shifts takes time, focus, energy and the belief and drive of all leaders and managers to make it happen.

It is vital that all staff are aware of and understand what is expected of them in adopting the behaviours and actions that deliver the key values. We need to foster consistency in our approach to leadership and management and ensure that we support managers in addressing where behaviours and actions are not acceptable and are contrary to the culture that we aim to embed across the organisation.

The behaviours and actions are set out below providing guidelines of what it will look like and what will be viewed as “red flag” behaviours.

Being Inclusive and supporting others

What it is

Building trust, valuing openness and listening to understand the perspectives and views of others. Creating an environment where people feel able to express their views.

What it looks like

- ✔ Is accessible and visible
- ✔ Allows time to listen to others
- ✔ Gives staff opportunities to be involved in discussions and decisions

Red Flags

- ✘ Adopts a command and control approach
- ✘ Closes down others through being judgemental or over-talking
- ✘ Doesn't ask others for opinions or ideas
- ✘ Is intolerant of difference

Creating Clarity

What it is

Giving others clear direction about what is important; focusing on actions that will make a difference; communicating effectively in both formal and informal ways

What it looks like

- ✔ Establishing clear goals and objectives and focusing on what's important
- ✔ Making sure others have a good understanding of the council's vision and values
- ✔ Being clear about lines of accountability and where there is space to make decisions
- ✔ Communicating regularly

Red Flags

- ✘ Overloads others with only written communication
- ✘ Allows fire fighting to take over – doesn't prioritise
- ✘ Fails to keep others informed

Leading through change

What it is

Inspiring people to embrace change by providing a positive vision for the future. Supporting people through change by listening, involving and trusting others to deliver.

What it looks like

- ✔ Looks to the future and creates a picture of “what it could be like”
- ✔ Involves staff and partners in translating the vision into actions
- ✔ Is enthusiastic and positive about the future

Red Flags

- ☹ Sees change only as a threat
- ☹ Does not recognise the impact of change on others
- ☹ Is secretive; does not share information
- ☹ Is hierarchical – sees knowledge as power

Being decisive

What it is

Taking ownership for making tough decisions; taking the initiative to make things happen within sphere of influence; creating a “can do” environment.

What it looks like

- ✔ Takes responsibility for difficult decisions
- ✔ Quickly moves into action to get things done
- ✔ Takes ownership for actions and results

Red Flags

- ☹ Avoids difficult decisions
- ☹ Procrastinates
- ☹ Hides behind bureaucracy; blames the system

Treating others with respect

What it is

Acting in a way that demonstrates a belief that individuals matter and deserve respect. Behaving consistently with others; “walking the talk” in relation to our values

What it looks like

- ✔ Behaving professionally and maturely
- ✔ Acting consistently in line with our values
- ✔ Being open, fair and honest

Red Flags

- ☹ Pays lip service to policies and values
- ☹ Does not treat others with respect
- ☹ Allows people to be treated badly

Focusing on the Customer

What it is

Putting the customer at the heart of what we do; listening to and involving our customers ensuring that the services we deliver are shaped around their needs and concerns.

What it looks like

- ✔ Involving customers in shaping our services around their needs
- ✔ Being honest about what we can do... but exceed expectations where we can
- ✔ Being an ambassador for the council
Listening and acting on feedback

Red Flags

- ☹ Passes customers around
- ☹ Makes promises we can't keep
- ☹ Doesn't think about the customer experience

Challenging the norm

What it is

Seeking ways to do things differently to enable operational improvements and a higher standard of service delivery. Encouraging innovation from others and challenging others to act on new ideas.

What it looks like

- ✔ Encourages innovation
- ✔ Is receptive to new ways of doing things and open to challenge
- ✔ Invites ideas and suggestions... and acts on these

Red Flags

- ☹ Doesn't explain when suggestions are not accepted or acted upon
- ☹ Is not willing to take reasonable risks to do things differently
- ☹ Does not take constructive challenge well

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Terms of Reference of the Standards Committee

Extract from Wiltshire Council's Constitution - Part 3

2.5 Standards Committee

This Committee will comprise:

- six elected members of the council other than the leader or any other member of the Cabinet
- eight town or parish councillors who are not elected members of the council
- eight independent members
- the committee will be chaired by an independent member. The vice-chairman of the committee will also be an independent member.

The Standards Committee is responsible for:

- promoting and maintaining high standards of conduct by elected members, co-opted members and church and parent governor representatives and officers
- assisting the elected and co-opted members and church and parent governor representatives to observe the members' code of conduct
- advising the council on the adoption or revision of the members' code of conduct
- monitoring and advising the council about the operation of its code of conduct in the light of best practice, changes in the law, guidance from the Standards Board and recommendations of case tribunals under section 80 of the Local Government Act 2000
- advising, training or arranging to train elected and co-opted members and church and parent governor representatives on matters relating to the members' code of conduct and ensuring that all members of the council have access to training in all aspects of the code of conduct, that this training is actively promoted, and that members are aware of the standards expected from local councillors under the code
- granting dispensations to elected and co-opted members and church and parent governor representatives from requirements relating to interests set out in the members' code of conduct
- dealing with all matters relating to:

- the initial assessment of misconduct allegations under the members' code of conduct
 - any request to review a decision to take no action in relation to a misconduct allegation
 - any hearing to determine whether a member has breached the code and where appropriate impose sanctions
 - the exercise of the committee's functions in relation to the town and parish councils wholly or mainly in its area and the members of those town and parish councils.
- promoting and overseeing high standards of ethical governance throughout the council
 - overview of the whistle blowing policy
 - overview of corporate complaints handling and Ombudsman investigations
 - reviewing the implementation of recommendations made by the Ombudsman
 - oversight of the constitution
 - considering and determining applications for exemption to the requirements in relation to politically restricted posts.

The Standards Committee has the power to appoint such sub-committees as may from time to time be necessary for the efficient discharge of its functions. In particular, the committee will appoint:

- an Assessment Sub-committee
- a Review Sub-committee
- a Hearing Sub-committee

whose role will be to consider, as appropriate, complaints into alleged breaches of the code of conduct.

Any sub-committee will be chaired by an independent member of the Standards Committee.

The composition of any sub-committee will be determined by the monitoring officer in consultation with the chairman of the committee on the basis of member availability. No member will serve on more than one of the above sub-committees for any one allegation or set of allegations. However, a member may serve on both the Assessment Sub-committee and the Hearing Sub-committee for any one allegation or set of allegations in exceptional circumstances to be approved by the monitoring officer

Members of the Review Sub-committee may not serve on any other sub-committee dealing with the same or linked complaints.

STANDARDS COMMITTEE - PROPOSED PLAN 2010-2014

Goals	Actions	Target Dates	Link to Wiltshire Council Goals
<p>Apply the local standards framework in a fair, efficient and proportionate manner</p>	<ul style="list-style-type: none"> • 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. • review approach to local assessment to bring more in line with national average of complaints referred for investigation; arrange workshop on local assessment. • implement new Code of Conduct with training for all councillors. 	<p>Completion date for S. for E’s review not known yet, but probably late Spring. Review operation of procedures by July 2010</p> <p>Workshop on 13 January. Review quarterly.</p> <p>New Code due out May 2010 with adoption by each Council by September 2010. Arrange training before adoption.</p>	<p>Ensure local, open, honest decision-making.</p>

	<ul style="list-style-type: none"> • explore the use of mediation and informal resolution of complaints. 	<p>May 2010</p>	
<p>Promote the ethical well-being of Wiltshire Council by embedding standards further within the Council</p>	<ul style="list-style-type: none"> • support the Council in moving to a single culture by promoting the values articulated in “What will we be like?” • increase the Committee’s visibility by attendance at meetings of Council, Cabinet, Committees and Area Boards. • arrange regular meetings between the Chairman of the Standards Committee, Leader and Chief Executive to maintain contact 	<p>Cllr Laura Mayes, portfolio lead for culture change to be invited to meeting in March 2010. Link in with Council’s action plan for culture change.</p> <p>From January 2010</p> <p>Met on 17 December. Next meeting to be fixed with new Chief Executive February / March 2010 and</p>	<p>Ensure local, open, honest decision-making;</p> <p>Deliver high quality, low cost, customer focused services.</p>

	<p>and exchange areas of development and opportunities.</p> <ul style="list-style-type: none"> • 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. • undertake review of the effectiveness of the Constitution as requested by Council. • review Council's complaints handling to ensure that complaints are dealt with efficiently and lead to improvements in 	<p>thereafter quarterly.</p> <p>Protocol to be completed for inclusion in Constitution in May 2010. Joint seminars e.g. on Audit and Inspection letter</p> <p>Starts January 2010; complete July 2010 and ongoing thereafter.</p> <p>Review annually.</p>	
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	<p>services to the public.</p> <ul style="list-style-type: none"> • provide training on the Code of Conduct; monitor take-up and effectiveness of training. 	<p>Training Plan to be finalised; see above for training on new code.</p>	
<p>Work with Parish, Town and City Councils to support them in their application of the local standards framework</p>	<ul style="list-style-type: none"> • develop training package for Town, Parish and City Councils in conjunction with WALC; finalise and implement programme for delivery of training; monitor the take-up and effectiveness of training. • communicate regularly with Town, Parish and City Councils on standards issues e.g. through Parish newsletter. • visible presence at meetings of town, 	<p>Implement from January 2010 in accordance with agreed schedule.</p> <p>See Communications Plan.</p> <p>From January 2010</p>	<p>Ensure local, open, honest decision-making;</p> <p>Working together to support Wiltshire's communities.</p>

	<p>parish and City Councils.</p> <ul style="list-style-type: none"> • promote excellence in wider aspects of governance through membership of WALC. 	September 2010	
Inform and engage the public on standards in local government	<ul style="list-style-type: none"> • provide articles related to the Code of Conduct in Wiltshire Council internal and external communications; • attend public meetings and events e.g. Local Democracy Week. • produce leaflet on making a complaint and the local assessment process for distribution throughout Wiltshire; 	<p>From now and ongoing.</p> <p>Programme of events to be drawn up for consideration at March meeting.</p> <p>February 2010</p>	<p>Ensure local, open, honest decision-making;</p> <p>Working together to support Wiltshire's communities.</p>

	<ul style="list-style-type: none"> Review the Wiltshire Council web-site to ensure easy access 	Timescale to be agreed with Web-site team	
Promote standards in partnerships	<ul style="list-style-type: none"> Review partnership governance arrangements; incorporate agreed values and standards of behaviour in partnership documentation. 	To be agreed.	<p>Deliver high quality, low cost, customer focused services; Ensure local, open, honest decision-making;</p> <p>Working together to support Wiltshire's communities;</p>

WILTSHIRE COUNCIL

STANDARDS COMMITTEE

13 January 2010

Register of Members' Interests

Purpose of Report

1. The Standards Committee has asked the Head of Governance to bring a report to this meeting setting out the statutory and practice requirements relating to the on-line publication of the register of members' interests. This report outlines the statutory provisions relating to the register of members' interests, and considerations relating to the on-line publication of that register on the Council's web-site.

Wiltshire Council Members' Registers of Interests and Gifts and Hospitality

2. The statutory requirements relating to the register of members' interests are set out in section 81 of the Local Government Act 2000. Section 81(1) provides that the Monitoring Officer must establish and maintain a register of interests of the members and co-opted members of the authority. Wiltshire Council's present arrangements comply with that requirement.
3. The legislation further requires that the council must ensure that copies of the register are available at an office of the authority for inspection by members of the public at all reasonable hours (Section 81(6)). The register is available for inspection at County Hall.
4. All members of Wiltshire Council have registered their interests with the Monitoring Officer, and the Council is therefore confident that members are compliant with their statutory responsibilities in that regard. At present the register is held in paper format and available for public inspection on request.
5. Good practice suggests that members' registers of interests should be available for the public to view on the Council's web-site, and several local authorities have adopted this practice (e.g. Birmingham City Council, Liverpool City Council, Swindon Borough Council, Bristol City Council, Torfaen County Council, North Yorkshire County Council, Sheffield City Council, Royal Borough of Windsor and Maidenhead).
6. MPs' registers of interests are available on the House of Commons web-site.
7. Standards for England have provided the following advice:

"The statutory requirement is for the Register to be made available to the public at the local authority's offices at all reasonable hours. The Register is a document which can be consulted when (or before) an issue arises and lets others think about whether or not a member may have a conflict of interest. To this end the Register contributes to public confidence in local democracy and as such Standards for England would generally encourage wider access, say via a local authority's website. However, the decision is one for the local authority involved in consultation with its Members and having regard to data

protection rules for keeping such information up-to-date.

In certain circumstances, we recognise that the public availability of such information could pose a real risk of violence or intimidation against members, or put them in breach of a legal obligation of secrecy. Where such a case arises, Standards for England believes that Monitoring Officers are entitled to withhold information from the publicly available copies of the Register. We are aware that some local authorities already make the register available on their websites, but some details may be excluded for one reason or another.”

“[Members] should provide this information to [their] Monitoring Officer and explain [their] concerns regarding the disclosure of the sensitive information; including why it is likely to create a serious risk that [the Member] or a person who lives with [them] will be subjected to violence or intimidation. [Members] do not need to include this information in [their] Register of Interests, if the Monitoring Officer agrees.”

Paragraph 14 of the Code of Conduct provides that a member need not include on the register information relating to any of their personal interests if they consider that it is sensitive information and the Monitoring Officer agrees. Under the Code “sensitive information” means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

8. The Council's external auditors, as part of the Use of Resources element of the Comprehensive Area Assessment (and formerly the Comprehensive Performance Assessment), have recommended that the Council gives serious consideration to making the register available on-line. The purpose of this is to achieve greater transparency and public accountability.
9. Wiltshire County Councillors considered this issue and voted against the electronic publication of the register. Members expressed concerns about security. However, the information is already available for public inspection, and other authorities appear to have been making registers available on-line for some time with no reported difficulties. If Wiltshire Council were to provide for the on-line publication of members' interests, the concerns about security could be reduced by not including the members' signatures on the on-line version. Members' home addresses are already a matter of public record.
10. It is important to note that the provisions of section 81 do not envisage publication of the register on-line and there is no other statutory provision that would enable the Council to require the register to be made available on-line. The Council, therefore, has no power to compel its members to make their personal entries in the register available other than by inspection at County Hall. A decision to make the register of all members' interests publicly available on the internet would be unlawful.
11. Although councillors cannot be compelled to participate in any electronic publication of the register, there is no statutory prohibition on publication in that format if members choose, on an individual basis, to make their register entries public on the web site. A decision by the Council to allow councillors to do this on an “opt-in” basis would be consistent with good practice without exceeding the statutory requirements with regard to registration.
12. An on-line Register would not replace the statutory paper version of the Register held by the Monitoring Officer which must continue to be maintained in this way and made available for public inspection on request.

Risks

11. See paragraph 9 above.

Proposal

12. That the Standards Committee recommends to Council that members and co-opted members of Wiltshire Council may opt into the on-line publication of their entries in the statutory register of members' interests.
13. That the on-line version of the register be redacted to remove copies of councillors' signatures.

Ian Gibbons
Monitoring Officer

Report Author: Nina Wilton – Head of Governance

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

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WILTSHIRE COUNCIL
AUDIT COMMITTEE
9 December, 2009
CABINET MEETING
15 December, 2009
STANDARDS COMMITTEE
13 January, 2010

Cabinet Member: Councillor Jane Scott, Leader of the Council

AUDIT COMMISSION: ANNUAL AUDIT LETTER 2008/09

Executive Summary

This report draws KPMG's Annual Audit Letter to the attention of the Cabinet, Standards Committee and Audit Committee and invite Councillors to consider their response. The comments of the Chief Executive on the Key Messages in the Audit Letter are set out in the report.

Proposal

The Chief Executive recommends that

- i) the Cabinet welcomes KPMG's Annual Audit Letter and asks me to draw up a programme for considering the recommendations in the Letter;
- ii) the Standards Committee considers and expresses any observations, relating to those issues highlighted within the Letter in which it has a direct interest – those related to standards, conduct and probity;
- iii) the Audit Committee considers those matters relevant to the work programme of the Committee.

Reasons for Proposals

To ensure that a response to KPMG's Annual Audit Letter is provided by the Council, reflecting the governance roles of the Cabinet, Standards Committee and Audit Committee.

KEITH ROBINSON
Chief Executive

WILTSHIRE COUNCIL

AUDIT COMMITTEE

9 December, 2009

CABINET MEETING

15 December, 2009

STANDARDS COMMITTEE

13 January, 2010

AUDIT COMMISSION: ANNUAL AUDIT LETTER 2008/09

Purpose of the Report

1. To draw the Audit Commission's Annual Audit Letter to the attention of the Cabinet, Standards Committee and Audit Committee and to invite Members to consider their response. Darren Gilbert, the Senior Manager, Audit, KPMG, and Chris Wilson, Partner, KPMG, will attend the meeting of the Audit Committee to present the Annual Audit Letter and to respond to any queries.

Background

2. The Annual Audit Letter has been prepared by KPMG. The Letter summarises the key issues arising from the 2008/09 audit at Wiltshire County Council (the Council). KPMG's main responsibility is to carry out an audit that meets the requirements of the Audit Commission's Code of Audit Practice which requires KPMG to review and report on the Use of Resources and on the Accounts.
3. The period covered by the Audit Letter is the final year of the Wiltshire County Council, during which the four District Councils were also in operation. The separate status and differing policies and procedures of the five Councils prior to 1 April 2009 is relevant to aspects of the Letter.
4. The Annual Audit Letter will be circulated to all Members of the Wiltshire Council as soon as it is finalised by the Audit Commission. It is appended to this report.

Main Considerations for the Council

5. KPMG's key messages that are drawn to the attention of Wiltshire Council as the 'continuing body' for the Wiltshire County Council, are summarised on page 2 of the Audit Letter. These are that:
 - Our use of resources assessment, the first under the Audit Commission's new UoR regime, demonstrated that the Council 'performed adequately', scoring level two (out of four) for all three themes, although within each theme there are elements where the Council has 'performed well' (level three). There are, however, specific weaknesses within the managing finances theme regarding financial reporting. Based on this, we concluded

that the Council had for the most part made proper arrangements to secure economy, efficiency and effectiveness in its use of resources, except for financial reporting. Our Value For Money conclusion was qualified on this basis.

- We identified a number of significant issues in the course of auditing the Council's financial statements that are considered to be material. These have now been resolved to our satisfaction and adjustments in the financial statements have been made by the Council. We have issued unqualified audit opinions on the Council's financial statements and Pension Fund accounts and a qualified audit opinion on the Council's arrangements for securing value for money in 2008/09.
- Our specific risk based project work generated generally positive messages regarding the Council's management of the areas reviewed, and also where relevant its comprehensive delivery of agreed actions in response to recommendations from earlier audit reports. We issued two reports at key stages leading up to vesting day for the new Council and in both cases we reported that good progress had been made overall. The Council had delivered the preparations necessary for the vast majority of the key actions that were originally identified in the 'Day one' plan (i.e. the actions that had to be in place in time for the first day of the new Council). There were a small number of actions that could not be cleared by day one and we recognised that clear communication and control of these areas would need to be maintained after 1 April 2009.

6. I will comment on each of these areas in paragraph 6 below.

6.1 Use of Resources Assessment

The Use of Resources assessment for 2008-9 used the Audit Commissions "harder test" and was conducted at the same time as delivering Local Government Reorganisation, implementing the new SAP financial management system, and delivering an integrated Shared Services Team (SST). This amount of simultaneous change is unprecedented in Local government.

Overall, the assessment represents a fair position in relation to the new Key Lines of Enquiry (KLOEs). Work has been underway for three months to prepare for the 2009-10 assessment. This work is being led by a cross functional steering team to ensure that actions are developed and delivered before the end of the audit year, March 2010. The target for the team is to achieve a level 3 score, and as the KPMG report acknowledges we are close to that for a number of themes and KLOEs.

6.2 Audit of Financial Statements

The financial statements were finally signed on 20 November 2009. As discussed and agreed with KPMG actions are now in place in response to each of the 18 recommendations arising from the audit of the financial statements for 2008/09.

An accounts closure group has already been established in respect of the 2009-10 accounts. A timetable is being prepared with clear actions and resource requirements. This is to be discussed with KPMG on 10 December 2009. Processes and procedures are being put in place to ensure the 2009/10 accounts closure and audit progress smoothly.

6.3 Risk Based Project Work

Naturally I am pleased to receive this positive feedback and recognition from KPMG, which reflects well on our management of the areas they reviewed, and the action we have taken in response to previous recommendations. We look upon external audit reports as a valuable source of information to help improve our services, and have consistently pursued the opportunity to secure those improvements. We will continue to do so in future.

Environmental Impact of the Proposal

7. No specific recommendations or implications.

Financial Implications

8. The Audit Commission's Annual Audit Letter is relevant to the County Council's financial arrangements.

Reasons for the Proposals

9. To ensure that a response to the KPMG Annual Audit Letter is provided by the Council, reflecting the governance roles of the Cabinet, Standards Committee and Audit Committee.

Proposals

10. I recommend that:
 - (i) the Cabinet welcomes KPMG's Annual Audit Letter and asks me to draw up a programme for considering the recommendations in the Letter;
 - (ii) the Standards Committee considers and expresses any observations, relating to those issues highlighted within the Letter in which it has a direct interest – those related to standards, conduct and probity;
 - (iii) the Audit Committee considers those matters relevant to the work programme of the Committee.

KEITH ROBINSON
Chief Executive

No unpublished documents have been relied upon in the preparation of this Report



PUBLIC SECTOR

Annual Audit Letter 2008/09

Wiltshire County Council
November 2009

AUDIT

Content

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Executive summary

Page

2

Use of resources

4

Financial statements

6

Appendices

8

1. Key recommendations
2. Reports issued
3. Audit fees

This report is addressed to the Council and has been prepared for the sole use of the Council. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. The Audit Commission has issued a document entitled Statement of Responsibilities of Auditors and Audited Bodies. This summarises where the responsibilities of auditors begin and end and what is expected from the audited body. We draw your attention to this document. External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact Chris Wilson, who is the engagement partner to the Council, telephone 0118 964 2269, email christopher.wilson@kpmg.co.uk who will try to resolve your complaint. If you are dissatisfied with your response please contact Trevor Rees on 0161 236 4000, email trevor.rees@kpmg.co.uk, who is the national contact partner for all of KPMG's work with the Audit Commission. After this, if you are still dissatisfied with how your complaint has been handled you can access the Audit Commission's complaints procedure. Put your complaint in writing to the Complaints Investigation Officer, Westward House, Lime Kiln Close, Stoke Gifford, Bristol, BS34 8SR or by e-mail to: complaints@audit-commission.gov.uk. Their telephone number is 0844 798 3131, textphone (minicom) 020 7630 0421



Executive summary

Purpose

This Annual Audit Letter (the letter) summarises the key issues arising from our 2008/09 audit at Wiltshire County Council (the Council). Although this letter is addressed to the Members of the new Wiltshire Council, as the County Council's successor body, it is also intended to communicate these issues to key external stakeholders, including members of the public. The letter will also be published on the Audit Commission website at www.audit-commission.gov.uk. It is the responsibility of the Council to publish the letter on its website at www.wiltshire.gov.uk. Throughout our audit we have highlighted areas of good performance and also provided recommendations to help you improve performance. A summary of our key recommendations is summarised in **Appendix 1**. We have reported all the conclusions in this letter to you throughout the year and a list of all reports we have issued is provided in **Appendix 2**.

Scope of our audit

The statutory responsibilities and powers of appointed auditors are set out in the Audit Commission Act 1998. Our main responsibility is to carry out an audit that meets the requirements of the Audit Commission's *Code of Audit Practice* (the *Code*) which requires us to review and report on your:

- *use of resources* - whether you have made proper arrangements for securing economy, efficiency and effectiveness ('value for money') in your use of resources (UoR). Our work in this area is summarised in **section 2**; and
- *accounts* – the Financial Statements and the Annual Governance Statement, summarised in **section 3**.

Key Messages

The key areas which we draw to your attention to are:

- Our use of resources assessment, the first under the Audit Commission's new UoR regime, demonstrated that the Council 'performed adequately', scoring level two (out of four) for all three themes, although within each theme there are elements where the Council has 'performed well' (level three). There are, however, specific weaknesses within the managing finances theme regarding financial reporting. Based on this, we concluded that the Council had for the most part made proper arrangements to secure economy, efficiency and effectiveness in its use of resources, except for financial reporting. Our Value For Money conclusion was qualified on this basis.
- We identified a number of significant issues in the course of auditing the Council's financial statements that are considered to be material. These have now been resolved to our satisfaction and adjustments in the financial statements have been made by the Council. We have issued unqualified audit opinions on the Council's financial statements and Pension Fund accounts and a qualified audit opinion on the Council's arrangements for securing value for money in 2008/09.
- Our specific risk based project work generated generally positive messages regarding the Council's management of the areas reviewed, and also where relevant its comprehensive delivery of agreed actions in response to recommendations from earlier audit reports. We issued two reports at key stages leading up to vesting day for the new Council and in both cases we reported that good progress had been made overall. The Council had delivered the preparations necessary for the vast majority of the key actions that were originally identified in the 'Day one' plan (i.e. the actions that had to be in place in time for the first day of the new Council). There were a small number of actions that could not be cleared by day one and we recognised that clear communication and control of these areas would need to be maintained after 1 April 2009.

There has been a significant amount of work by the Council to capture and validate anticipated year one savings. Significant effort by Council staff has helped to identify the cash savings that had been assumed in the original bid for this stage. In addition, a process is being set up to capture and monitor the "other savings and efficiencies" as set out in the original bid. The new SAP system, BMP, Shared Services and ICT benefits are complex and Wiltshire Council is considering the best way of measuring them.

The SAP, Shared Services and ICT projects plans include actions that will be required in the first few months of Wiltshire Council. There is a need to ensure plans are sufficiently flexible to deal with unexpected events which might emerge and impact on the delivery of services because of the complexity of the LGR programme. This includes contingency plans for loss of support services and appropriate performance management monitoring to detect more subtle problems.

Executive summary (continued)

Fees

Our agreed fees for the Council's audit and auditing the pension scheme were £210,750 and £70,000 respectively. We have charged additional fees for the completion of the Council's accounts audit due to the significant amounts of additional time required to resolve the many difficulties encountered during our final accounts audit. We have also charged additional fees for the significant amount of time spent on considering elector questions and undertaking special audit investigations. The final fee for the Council (excluding grants certification) is therefore £348,680. The Pension Fund fee remains unchanged at £70,000. Detailed of our fees are summarised in **Appendix 3**.

Future Issues

- Those Local Authorities in the Carbon Reduction Commitment scheme will need to start reporting their usage from 1 April 2010 and recording these transactions within their financial statements with effect from 1 April 2011. There will be implications for cash flow, energy bills, and investment decisions and these could be significant. There are huge opportunities in addressing sustainability with clear cost reduction opportunities from saving energy which will become more and more significant over time. There are also opportunities to use the sustainability agenda to support the achievement of business challenges. It puts carbon reduction firmly amongst your corporate priorities.
- Sustainability performance - The Treasury is developing guidance for 2010/2011 which will require all public sector bodies to report publicly on sustainability performance in annual reports. CIPFA is in discussion with the Treasury about when and in what form this requirement will be formalised for local authorities. The reported information will be subject to audit and scrutiny. Sustainability reporting will be difficult to implement and many organisations will need to act now to implement new information gathering processes.
- Public expenditure forecasts indicate that there will be significant pressure on local authorities' funding in the medium term. Future financial settlements will be extremely tight, increasing the need for local authorities to have comprehensive efficiency programmes supported by sound financial management arrangements. It is likely that bold measures will be required to generate sufficient savings to mitigate the impact on priority services. More than ever before, officers and Members will need to focus on identifying these significant savings measures and ensuring that robust arrangements are in place to monitor their delivery to ensure they are realised. Wiltshire Council will need to not only meet this challenge, but also continue to deliver changes to its structure and ways of working following local government reorganisation (LGR) earlier this year. Whilst challenging, this transformation agenda does however present opportunities to identify and realise significant efficiency savings. Our 2009/10 audit plan includes an audit project considering how the Council is approaching this, in the context of LGR.
- From 2010/11 local government bodies are required to prepare their financial statements under International Financial Reporting Standards (IFRS), which contains a number of significant differences from the current financial reporting regime. The Council has started preparing for this transition, although as with all local authorities there remains much to be done to identify the full impact of IFRS on its accounting arrangements and to make the necessary changes.
- The Council introduced a new SAP system in the current financial year, replacing the previous general ledgers and other related financial systems for the five predecessor councils. This major project required dedicated IT, finance and other resources to manage the process of implementation and this effort continues to ensure that the system and associated new ways of working are fully and effectively embedded. Our 2009/10 audit includes a significant audit project to consider aspects of the SAP system implementation process.

Acknowledgement

This has been KPMG's second year as the Council's external auditor following our appointment by the Audit Commission in 2007. We would like to thank the Council's management and staff for the help, support and co-operation they have provided throughout our audit. We recently agreed our audit plan for our 2009/10 audit and look forward to working closely with the Council in the coming year to deliver this programme of work.

Section two

Use of resources

The main elements of our use of resources work are:

- *Use of Resources* - from 2008/09, the Audit Commission introduced a new UoR assessment framework which forms part of the Comprehensive Area Assessment (CAA). This replaced the former UoR assessment which was predominantly focused on processes – the scope of the new regime is wider as it also considers whether public bodies have achieved significant and sustainable outcomes. UoR assessment comprises three themes which consider:
 - Managing finances – focusing on sound and strategic financial management;
 - Governing the business – focusing on strategic commissioning and good governance; and
 - Managing resources – focusing on the management of natural resources, assets and people.
- *Value for money conclusion* – we issue a conclusion on whether we are satisfied that you have put in place proper arrangements for securing economy, efficiency and effectiveness in your use of resources. This is based predominantly on the UoR assessment but also takes account of other relevant work.
- *Specific risk based work* – we carry out specific reviews of issues facing you, based on a risk assessment and from risks raised with us from various sources. This year we undertook a review of the LGR process and the way in which the predecessor councils managed the risks associated with the transition to One Council (our work was performed in two phases).

The findings from this work are summarised below.

Element of work	Key findings								
Use of Resources	<p>Our assessment of Wiltshire County Council against the three themes resulted in the following scores on a scale of one (inadequate) to four (performing strongly):</p> <table border="1"> <thead> <tr> <th>Area</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>Managing money</td> <td>2</td> </tr> <tr> <td>Governing the business</td> <td>2</td> </tr> <tr> <td>Managing resources</td> <td>2</td> </tr> </tbody> </table> <p>These scores build on last year's UoR assessment when the Council scored level 3 (performing well) against the financial reporting, financial standing, financial management and value for money themes and level 2 against internal control. It should be noted, however, that direct comparisons cannot be made between the previous UoR scores and those awarded this year due to the differences in each assessment framework.</p> <p>In achieving level 2 the Council has been able to prove that overall it has adequate arrangements in place. There were elements in each of the three themes which we assessed as level 3 (performing well), recognising that in these areas the Council not only had sound arrangements in place but was also able to demonstrate that these arrangements had led to significant and sustainable outcomes. We assessed the financial reporting element of Managing Money as level 1 (inadequate) due to the significant issues identified during this year's final accounts audit.</p>	Area	Score	Managing money	2	Governing the business	2	Managing resources	2
Area	Score								
Managing money	2								
Governing the business	2								
Managing resources	2								
Value for money conclusion	<p>We issued a qualified value for money conclusion for 2008/09.</p> <p>This means we have concluded that for the most part you have made proper arrangements to secure economy, efficiency and effectiveness in its use of resources, except for financial reporting where our audit identified concerns over the production of the Council's annual accounts.</p>								

Use of resources (continued)

Element of work	Key findings
<p>Review of LGR (phase 1)</p>	<p>The first phase of our review between September and October 2008 considered how the risks associated with the implementation arrangements for the move to One Council were being managed. We focused particularly on transition planning, finance, governance, information management and technology, and staffing issues.</p> <p>We reported our findings shortly after the review, concluding that overall the Council was managing the transition to One Council well. At this stage there remained a significant amount of work still to be done, including on the implementation of the new SAP system and shared service function, but we were satisfied that the key risks associated with the transition were recognised and being addressed. In particular:</p> <ul style="list-style-type: none"> • there were clear programme management arrangements in place; • good progress had been made on staffing issues, including appointing the majority of Service Directors; and • the staff we spoke to were very motivated and there was evident “buy in” from the staff at the county and district councils. <p>Due to the speed of the transition process we did not issue any recommendations, but did highlight the importance of closely monitoring progress against critical items and taking prompt action to overcome or work around problem areas as and when they arose.</p>
<p>Review of LGR (phase 2)</p>	<p>The second phase of our work was completed between January and February 2009, allowing us to consider the general preparedness for the transition that took place on 1 April 2009. This stage of our work focused on the progress against the critical elements of the project plan, the approach to developing a benefits realisation plan and arrangements to ensure value for money for the provision of services under the new council structure.</p> <p>We again reported that good progress had been made overall. The Council had delivered the preparations necessary for the vast majority of the key actions that were originally identified in the ‘Day one’ plan (i.e. the actions that had to be in place in time for the first day of the new Council). There were a small number of actions that could not be cleared by day one and we recognised that clear communication and control of these areas would need to be maintained after 1 April 2009.</p> <p>There has been a significant amount of work by the Council to capture and validate anticipated year one savings. Significant effort by Council staff has helped to identify the cash savings that had been assumed in the original bid for this stage. In addition, a process is being set up to capture and monitor the “other savings and efficiencies” as set out in the original bid. The new SAP system, BMP, Shared Services and ICT benefits are complex and Wiltshire Council is considering the best way of measuring them.</p> <p>The SAP, Shared Services and ICT projects plans include actions that will be required in the first few months of Wiltshire Council. There is a need to ensure plans are sufficiently flexible to deal with unexpected events which might emerge and impact on the delivery of services because of the complexity of the LGR programme. This includes contingency plans for loss of support services and appropriate performance management monitoring to detect more subtle problems.</p> <p>Our 2009/10 audit includes a third phase of this project to consider in more detail the Council’s approach to benefits realisation.</p>

Financial statements

Audit opinion

We issued an unqualified opinion on your accounts on 20 November 2009. This means that we believe the accounts present fairly the financial affairs of the Council and of the income and expenditure recorded during the year. We also issued an unqualified opinion on the Pension Fund accounts.

Before we give our opinion on the accounts, we are required to report to 'those charged with governance' any significant matters identified. We did this in our report to the Audit Committee meeting on the 30 September 2009 and the key issues are summarised below. However, we were unable to issue our audit opinion by the 30 September deadline because the Council was still updating its financial statements at this time to address the significant number of issues identified during our audit.

Accounts production and adjustments to the accounts

We received a set of draft set of accounts by the 30 June deadline. However we noted early during our audit visit that there were numerous significant and material errors and omissions from this draft set of accounts. There were also many changes required in relation to disclosure items within the notes to the accounts.

The quality of working papers provided by the Council did not meet the expected standard. In some cases it was not evident how the working paper addressed the requirement detailed in the Accounts Audit Protocol and in other cases the level of support was not as detailed as had been requested. However, we worked closely with Finance staff to ensure we obtained the necessary support and evidence for the accounts.

Our audit identified twelve material audit adjustments which have been corrected by the Council. We identified two non-material audit differences which remained uncorrected. We also identified a large number of presentational adjustments which the Council adjusted in its final set of financial statements.

Our audit resulted in eighteen recommendations of which we deemed nine to be fundamental and material to your system of internal control. We also highlighted to you that there remain nine recommendations (from our interim 2008/09 and 2007/08 reports) where action is required by the Council in 2009/10 to adequately address identified issues. We will work closely with the Council's Finance staff to ensure that the accounts closedown process and financial statements audit are smoother and more efficient next year.

Exercise of audit powers

We have a duty under section 8 of the Audit Commission Act 1998 (the 1998 Act) to consider whether, in the public interest, to report on any matter that comes to our attention in order for it brought to the attention of the public. In addition we have a range of other powers under the 1998 Act.

We did not exercise these powers or issue a report in the public interest in 2008/09. We have, however, undertaken an unprecedented amount of additional audit work during the year in response to issues and risks raised with us from various sources, including:

- a request from a local elector that we exercise statutory powers by issuing an Advisory Notice under section 19A of the 1998 Act in relation to a proposed transfer of fixed assets following Local Government Reorganisation (we considered this request but concluded there was no cause to issue an Advisory Notice);
- a whistle-blowing complaint under the Public Interest Disclosure Act 1998 (our investigation identified specific risks relating to fixed assets which we have considered during our final accounts audit, and which we commented in detail on our accounts audit report to the Audit Committee in September 2009);
- a detailed investigation, at the request of the new Wiltshire Council, into specific payments highlighted by the new Wiltshire Council, but made by one of the former District Councils, to consider the probity and appropriateness of these payments (we concluded that there were lessons to be learned in how these payments were effected but there was no direct evidence of impropriety);
- a review, at the request of the new Wiltshire Council, of the severance payments made by the County Council and District Councils as a result of the Local Government Reorganisation (we found that the payments were all made in line with the agreed severance policy but a number of errors in individual payments were identified, along with some lessons about how the detailed calculations were made and documented); and
- consideration of a number of other specific questions and issues received from local electors.

Future issues

There are some key areas and developments which the Council will need to manage effectively in order to produce timely, complete and materially accurate financial statements:

- The Council needs to ensure that it has appropriate close down procedures in the place for the preparation of the 2009/10 financial statements. This includes ensuring that the right level of staff are involved in the closing down of financial systems and management should thoroughly review the accounts to ensure the figures are consistent with those per the accounting system. This should also include completion (and documentation) of the disclosure checklist, casting of all primary statements and notes and checking cross-references and internal consistency throughout.
- The Council has introduced a new SAP system in the current financial year, replacing its current general ledger and other related financial systems. This is a major project and the Council has dedicated significant IT, finance and other resources to manage the process of implementation. Our 2009/10 audit includes a significant audit project to consider aspects of the SAP system implementation, including ensuring we obtain sufficient assurance over the completeness and accuracy of the opening balances and other key data transferred into the new system.
- From 2010/11 local government bodies are required to prepare their financial statements under IFRS. There is a transitional process that needs to be followed, starting with assessing the areas where IFRS will require re-statement of aspects of the Council's accounts to comply with IFRS. The Council will need to prepare for this transition and ensure that its financial systems and other arrangements have been reviewed and updated as necessary, and that finance staff receive necessary training.

Appendix 1: Key recommendations

This appendix summarises the main high priority recommendations that we have identified during 2008/09, along with your response to them.

Issue / Recommendation	Management Response / Timescale for implementation
Accounts audit	
<p>Material errors in 1st draft of the Statement of Accounts</p> <p>Issue</p> <p>The draft accounts submitted to and approved by the Audit Committee contained material errors. This was due to the problems with the spreadsheets being used to generate the figures in the Statement of Accounts. As a result, in the "approved accounts", gross expenditure in the I&E was understated by £45.0m and gross income was understated by £12.8m, and showed a surplus of £15.5m whereas the latest corrected version shows a deficit of £21.5m.</p> <p>The quantum of these errors would have made it difficult for the Audit Committee to make valid conclusions regarding the Council's performance in 2008/09.</p> <p>Recommendation</p> <p>Prior to submitting the draft accounts to Audit Committee, management should thoroughly review the accounts to ensure the figures are consistent with those per the accounting system. This should also include completion (and documentation) of the SORP checklist, casting of all primary statements and notes and checking cross-references / internal consistency throughout. This would help eliminate the number of errors and disclosure issues identified as part of our audit work.</p>	<p>The preparation of the 2008-09 Statement of Accounts for the former County Council was undertaken by the former County Council Chief Finance Officer. Review of the process shows it was inadequately resourced and planned. In hindsight with the great level of change in progress in terms of the new Unitary Council, it would seem a sensible approach for the County Council to have requested the 1 month extension to the preparation of accounts and offered in the relevant regulation. However lessons will be learned and a properly resourced plan will be prepared for the preparation of the accounts 2009-10.</p> <p>Officer and due date</p> <p>Matthew Tiller, Deputy Head of SST Finance January 2010</p> <p>A thorough review of the accounts has been actioned, including a review of the SORP checklist. The outcome of this review will clearly determine the new Chief Finance Officer's ability to sign off the County Council's Statement of Accounts for 2008-09. Completion of the review will depend upon full completion of the Statement of Accounts.</p> <p>Officer and due date</p> <p>Stuart Donnelly - Principal Accountant 30 September 2009</p>
<p>Fixed assets sold which were not on the Fixed Asset Register</p> <p>Issue</p> <p>£1.3m of fixed assets have been sold during the year. However, Corporate Finance were unable to identify these easily on the Fixed Asset Register (FAR).</p> <p>There may be further fixed assets, potentially of a significant value, which the council owns but are not recorded appropriately in the FAR.</p> <p>Recommendation</p> <p>Ensure that a thorough review of the Fixed Asset Register is performed.</p>	<p>The outcome of the review will enable the existing asset registers to be reconciled and once agreed, used to populate the asset module in SAP. Procedures will be put in place to ensure improvements can be easily attributed to the original asset. However, this is a major undertaking to ensure the Asset register is correct.</p> <p>Officer and due date</p> <p>Matthew Tiller 31 December 2009</p>

Appendix 1: Key recommendations (continued)

Issue / Recommendation	Management Response / Timescale for implementation
<p>£7.3m error within revaluation gains in prior year</p> <p>Issue</p> <p>In the prior year an asset was revalued upwards by £7.3m, based on the valuation provided by the external valuer. This valuation related to two assets - the original School buildings and a separate asset for improvements to the buildings made in subsequent years. The revaluation was performed based on the overall combined asset. However, when the revaluation was processed the revaluation gain of £7.3m was made against just the original School buildings asset. This failed to take into account the fact that the value of the other improvements to assets were included in the initial valuation. This resulted in an incorrect revaluation gain of £7.3m being booked.</p> <p>Aside from the £7.3m error which was not identified until 2008/09, there is the potential for further such issues to arise due to the complexities of the fixed asset register and the lack of detailed descriptions relating to each asset. This causes difficulties in processing additions/improvements to existing assets within the fixed asset register.</p> <p>Recommendation</p> <p>Review the processes for adding assets to the fixed asset register to ensure all improvements can be easily attributed to the original asset. Additionally where a particularly significant gain is noted on an individual asset in the year this should be reviewed to ensure that it does not actually relate to several assets.</p>	<p>The necessary accounts corrections have been made.</p> <p>In August 2009, an independent review of the Council's assets and capital accounting arrangements was commissioned.</p> <p>The outcome of the review will enable the existing asset registers to be reconciled and once agreed, used to populate the asset module in SAP. Procedures will be put in place to ensure improvements can be easily attributed to the original asset. However, this is a major undertaking to ensure the Asset register is correct.</p> <p>Officer and due date</p> <p>Matthew Tiller 31 December 2009</p>
<p>Items revalued during the year not identifiable on the FAR</p> <p>Issue</p> <p>During our review of the valuation report for 2008/09 a number of assets have been revalued which Corporate Finance were not able to identify on the fixed asset register. The value of these assets per the valuation report originally totalled £3.9m. Following further analysis, some of these have now been resolved resulting in a £793k audit adjustment.</p> <p>There is potential that fixed assets are understated. However, it is also possible that the assets could be on the fixed asset register already but are not clearly identifiable.</p> <p>Recommendation</p> <p>In order for the Council to be sure of the assets it holds, the Fixed Asset Register should be fully reviewed and each asset description should be much more detailed and a 'collection' of assets such as school buildings should be named or numbered similarly.</p>	<p>The outcome of the review will enable the existing asset registers to be reconciled and once agreed, used to populate the asset module in SAP. Procedures will be put in place to ensure improvements can be easily attributed to the original asset. However, this is a major undertaking to ensure the Asset register is correct.</p> <p>Officer and due date</p> <p>Matthew Tiller 31 December 2009</p>

Appendix 1: Key recommendations (continued)

Issue / Recommendation	Management Response / Timescale for implementation
<p>Separate Fixed Asset Registers are being maintained by Corporate Finance and Estates departments</p> <p>Issue</p> <p>The estates team maintain a separate fixed asset register to that maintained by Corporate Finance. Corporate Finance's register is used for the Statement of Accounts, but the Estates' version is used for selecting assets for valuation.</p> <p>This appears to have resulted in assets which are on one system but not on the other. It also has resulted in difficulties in allocating capital improvements to existing assets in the finance maintained FAR.</p> <p>Recommendation</p> <p>The two systems should be reconciled on a regular basis, or ideally only one fixed asset system should be maintained within SAP.</p>	<p>The outcome of the review will enable the existing asset registers to be reconciled and once agreed, used to populate the asset module in SAP. Procedures will be put in place to ensure improvements can be easily attributed to the original asset. However, this is a major undertaking to ensure the Asset register is correct.</p> <p>Officer and due date</p> <p>Martin Donovan - Chief Finance Officer 31 December 2009</p>
<p>Procedures for arranging Impairment review</p> <p>Issue</p> <p>The Estates team are currently responsible for organising the impairment review, rather than Corporate Finance.</p> <p>As Estates maintain a separate Fixed Asset Register the value of an asset, per Estates, may not reflect the valuation per Corporate Finance. Therefore a situation could arise where Estates do not believe an impairment is required as their value is in line with the external valuer, but the FAR of corporate finance may need an impairment (or revaluation gain) should they hold the asset at a different value.</p> <p>Additionally, the original impairment review did not cover investment properties and assets held for sale. We would have expected both of these categories of asset to form part of the review.</p> <p>Recommendation</p> <p>The two departments should work closely together in order to identify all the types of assets that should be subject to the impairment review.</p>	<p>All existing fixed assets will be agreed and loaded into SAP on a single register.</p> <p>Finance will issue clear guidance regarding the impairment requirements for different asset types.</p> <p>Officer and due date</p> <p>Matthew Tiller 31 March 2010</p>
<p>Timing of Fixed Asset processes</p> <p>Issue</p> <p>The processes for making fixed asset additions to the fixed asset register, processing depreciation charges, processing disposals, and calculating revaluations are all performed at year end.</p> <p>This causes staffing pressure at year end and also results in a lack of segregation of duties in performing the processes.</p> <p>Recommendation</p> <p>Undertake the processes for fixed assets as monthly or quarterly routines. There should also be a thorough and regular review by a more senior person within the Finance function to ensure the processes are being performed and documented appropriately.</p>	<p>All existing fixed asset registers will be reconciled, agreed and populated into SAP as one register.</p> <p>Regular reviews of fixed assets will be implemented with clear documentation to support any changes.</p> <p>Officer and due date</p> <p>Matthew Tiller 31 March 2010</p>

Appendix 1: Key recommendations (continued)

Issue / Recommendation	Management Response / Timescale for implementation
<p>Financial regulations in place to assist staff in identifying expenditure as capital or revenue</p> <p>Issue</p> <p>There is a need to enhance the guidance available to staff regarding differentiating between capital or revenue expenditure for spend on capital projects. Given that there is sometimes difficulty in differentiating between what constitutes maintenance and what is an enhancement or increasing the life of an asset, it is possible that errors could arise due to lack of internal clarity.</p> <p>Such guidance should specifically identify, based on the SORP, what restriction are in place over capital expenditure, such as the prohibiting of capitalisation of costs on abortive capital schemes.</p> <p>Recommendation</p> <p>Ensure that a financial regulations manual is in place which can be used as a policy guide for determining whether expenditure is either capital or revenue.</p> <p>Additionally, ensure that sufficient training is provided to all relevant employees to assist them in correctly identifying the different types of expenditure.</p> <p>Controls should also be implemented to ensure that management independently and regularly review postings made to ensure the spend is being assigned appropriately.</p>	<p>A financial regulations manual will be prepared with clear guidelines regarding capital and revenue.</p> <p>This will be supported by a training programme, delivered to all relevant staff.</p> <p>The regular monitoring processes will be introduced, once capital projects can be updated into SAP.</p> <p>Officer and due date</p> <p>Iain Winterbottom 31 December 2009</p>
<p>Incorrect capitalisation of items as intangibles assets</p> <p>Issue</p> <p>From our testing of intangible asset additions in 2008/09 we have identified a number of assets that have been capitalised as intangible assets which do not meet the criteria under the SORP. Although these items were not material, they clearly were not capital expenditure and were also not items that could be classed as intangibles.</p> <p>If a significant number of low value items are classified as intangibles that do not meet the criteria for capitalisation there is the potential for expenditure and intangibles assets to be misstated.</p> <p>Recommendation</p> <p>Controls should be implemented to ensure that expenditure on intangible assets is being monitored to ensure it meets the criteria for capitalisation under the SORP.</p>	<p>In August 2009, a review of the Council’s assets and capital accounting arrangements was commissioned.</p> <p>In light of the outcome of the review, necessary controls will be prepared and incorporated into mandatory guidance as part of the Council’s Financial Regulation Framework.</p> <p>Officer and due date</p> <p>Matthew Tiller 16 October 2009</p>

Appendix 1: Key recommendations (continued)

Issue/ Recommendation	Management Response / Timescale for implementation
Review of severance payments	
<p>Review the redundancy calculations containing errors to consider whether additional payments should be made where underpayments have been identified, including complete application of the 0.3% salary uplift.</p>	<p>Agreed, WC will review payments made to former staff. Officer and due date Ian Gibbons and Martin Donovan 1 December 2009</p>
<p>Review and update proposed redundancy awards for staff where overpayments have been identified and consider whether recovery action should be taken for staff who have already received incorrect redundancy payments.</p>	<p>Management have reviewed proposed redundancy awards prior to their payment and where necessary corrected them. Management intend to recover overpayments where this is legally and economically justified. Officer and due date Ian Gibbons and Martin Donovan 1 December 2009</p>
<p>Produce detailed guidance to provide a step by step approach to the key elements of calculating redundancy payments, including basic details such as the what items are allowable to include in 'normal weekly pay'. The Council may need to obtain legal advice to inform this.</p>	<p>Agreed Officer and due date Barry Pirie 1 December 2009</p>
Review of non-pensionable honoraria payments	
<p>There should be a clear policy defining the circumstances in which non pensionable honoraria can be made (i.e. When).</p>	<p>These are all high priority recommendations made by KPMG which we have advised the Council to consider.</p>
<p>There should be a clear policy which stipulates the processes for initiating, approving and authorising such payments (i.e. How).</p>	
<p>The process and criteria for identifying and selecting recipients of non pensionable honoraria should be objective and clear (i.e. Who).</p>	
<p>The decision making process at each step should be documented in the interests of transparency and in order to provide evidence to support the validity of such payments under reasonable scrutiny (i.e. Documentation).</p>	
<p>Engagement should be sought from an appropriately constituted forum to approve and authorise the decisions that are taken to make such payments (i.e. Approval).</p>	
<p>Clear evidence should be available to prove that no individual was involved in the decision making process or authorisation of a payment to that individual (i.e. Evidence).</p>	
<p>Checks and controls should be introduced to ensure that individuals who are to be rewarded by means of non pensionable honoraria (or any other means) are not already being or have not already been rewarded for the same matter by other means.</p>	

Appendix 2: Audit reports issued

A summary of the reports issued in the year to date is set out below.

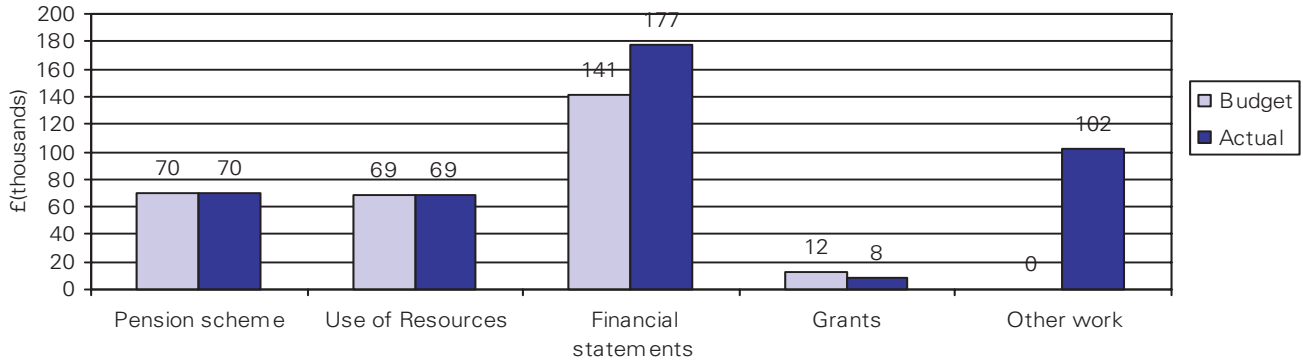
Report	Date issued
Audit and Inspection Plan 2008/09	June 2008
Review of Local Government Reorganisation (phase 1)	December 2008
Review of Local Government Reorganisation (phase 2)	February 2009
Interim Audit Report 2008/09	April 2009
Wiltshire Pension Fund – Report to those charged with Governance – 2008/09	September 2009
Wiltshire County Council – Report to those charged with governance – 2008/09	September 2009
Review of Non Pensionable Honorarium payments to certain members of staff at one of the former district councils between 1 January and 1 April 2009	November 2009
Review of Severance payments	November 2009

Appendices

Appendix 3: Audit fees

We have summarised below the outturn against the 2008/09 agreed external audit fee:

External audit fee for 2008/09



Financial statements

The agreed fee in our audit plan for audit of the Financial Statements was £141,000. However, in addition to this, we have charged additional fees. This is due to the significant amounts of time we have incurred resolving the many difficulties encountered during our final accounts audit and completion of the statement of accounts. The additional fees charged amount to £35,970.

Grants

We also performed some grants work for the district councils, which does not form part of the fee quoted above. Our total estimate to management was £92k. Actual costs amount to £86k. We do still however, have three small grants waiting to be audited.

Other work

We have undertaken an unprecedented amount of additional audit work during the year in response to issues and risks raised with us from various sources which is set out in **section three** of our report.

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Extract of minutes from the meeting of Cabinet on 15.12.09

Annual Audit letter 2008/09

Cabinet considered the Annual Audit Letter from the Council's external auditors KPMG which had been considered by the Audit Committee on 9 December and would be considered by the Standards Committee on 13 January 2010. The Letter had also been circulated to all Councillors for their information.

Cabinet considered the covering report of the Chief Executive which drew Cabinet's attention to the most significant elements of the letter and its recommendations.

The Leader was satisfied that the recommendations made in the Letter were already being implemented.

During discussion, the Leader requested that a seminar be held for all Councillors, in particular those on Audit, Scrutiny and Standards Committees and Cabinet on the Comprehensive Area Assessment (CAA) and in particular the use of resources. The purpose of the seminar would be to promote and provide clarity on the different governance roles of those meetings with regards to these two areas.

Resolved:

- (a) **That subject to any comments that the Standards Committee may have, Cabinet welcome KPMG's Annual Audit Letter and request the Chief Executive to draw up a programme for considering the recommendations in the Letter.**
- (b) **That a Seminar be arranged for all Councillors on the Comprehensive Area Assessment and in particular the Use of Resources to help promote and define the different governance roles of the Audit, Scrutiny and Standards Committees and Cabinet on these areas.**

Reason for Decision

To ensure that a response to KPMG's Annual Audit Letter is provided by the Council, reflecting the governance roles of the Cabinet, Standards Committee and Audit Committee.

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**Extract of minutes from the meeting of Audit Committee on
9.12.09**

39. Annual Audit Letter

Darren Gilbert, of External Auditors KPMG, introduced the Annual Audit Letter which summarised the key issues arising from KPMG's 2008-09 audit at Wiltshire County Council.

The key areas identified were:

- The use of resources assessments
- Financial statements; KPMG have worked with the finance team to resolve the issues and gave a positive unqualified opinion on 20 November 2009.
- Risk based project work; the third phase was about to begin.

Mr Gilbert explained that the Annual Audit Letter was a public facing summary of the work undertaken by KPMG but that all the conclusions and reports had already been presented to the Audit Committee (or its predecessor the Final Accounts and Audit Committee) throughout the year.

It was agreed that the issues surrounding the Final Statement of Account for Wiltshire County Council had been clearly identified at the last meeting of the Audit Committee and that the committee should now focus on ensuring that the measures being put in place were adequate.

Darren Gilbert and Chris Wilson, both of external auditor KPMG, answered questions from councillors including some regarding the additional fees, of which there were two identified elements; firstly a significant additional amount of work required for the audit of Wiltshire County Council's Final Accounts, and secondly unplanned ad-hoc investigations and reviews (two of these being items on this meeting's agenda), covered by a fixed and pre-agreed rate, which were mostly commissioned by Wiltshire County Council and its Chief Executive, although some were prompted by electors.

Councillors were reassured that the Audit Committee should not be required to be more involved with the budget allocation as the Chairman and Vice Chairman of the Audit Committee would ensure that this was covered by regular meetings with the Chairman and Vice-Chairman of the Overview and Scrutiny Management and Resources Select Committee. The Budget is also questioned at the Overview and Scrutiny yearly Budget Meeting in February as well as being monitored by the Budget and Performance Scrutiny Task Group.

Resolved:

To include the following in the Audit Committee's work programme:

- **Monitoring benefits realisation**
- **Regional Financial Management Improvement**
- **Appropriate close down procedures are in place for the preparation of the 2009-10 financial statements**
- **Monitoring the implementation of the SAP system, including ensuring that sufficient assurance over the completeness and accuracy of the opening balances and other key data transferred into the new system are received.**
- **To ensure that Wiltshire Council is reviewing, and updating if necessary, its financial systems and other arrangements to enable its financial statements to be prepared under the International Financial Reporting Standards (IFRS) as will be required of local government bodies from 2010-11.**

DRAFT



Standards and Ethics Award

The closing date for entries to the 2010 Local Government Chronicle (LGC) awards was Friday 20 November. Around 20 authorities entered the Standards and Ethics Award, which is supported by Standards for England. Our judges, Dr Robert Chilton, Dr Michael Macaulay and Nick Raynsford MP have reviewed the entries and shortlisted six authorities who will be announced on 17 December. The judges will then meet in London to choose a winner which will be announced on 24 March 2010.

More information on the shortlisted authorities will be available on our website in January.

Bias, Predetermination and the Code

At this year's Annual Assembly we ran a session called 'Understanding Predetermination and Bias'. It looked at the relationship between bias, predetermination and the Code of Conduct (the Code). The session proved to be hugely successful in providing information that all standards committees and monitoring officers should be aware of, particularly as it drew on recent and relevant case law in this area. This article attempts to draw out some of the key messages from the session that make understanding predetermination and the Code easier.

Predetermination is a more accurate term than 'bias' used to describe a state of mind which is capable of breaching both the law and the Code. This is not to be confused with predisposition where a councillor holds a view in favour of or against an issue, for example an application for planning permission, but they have an open mind to the merits of the argument before they make the final decision at the council meeting. This includes having formed a preliminary view about how they will vote before they attend the meeting, and/or expressing that view publicly.

There are two types of predetermination; actual and apparent:

- **Actual predetermination** is when a person has closed their mind to all considerations other than an already held view.
- **Apparent predetermination** is where the fair minded and well-informed observer, looking objectively at all the circumstances, considers that there is a real risk that one or more of the decision makers has refused even to consider a relevant argument or would refuse to consider a new argument.

Recent case law has provided some clarity on how to establish whether predetermination might have occurred by using a two stage test:

- **Stage one** - all the circumstances which have a bearing on the suggestion that the decision was undermined by actual or apparent predetermination must be established.
- **Stage two** - the questions to be asked are:
 - a) was there actual predetermination or
 - b) were the circumstances such as would lead a fair minded and informed observer to conclude that there was 'real risk' that one of the decision makers had predetermined the outcome?

It is important to note that apparent predetermination is to be assessed having regard to all the circumstances which are apparent upon investigation. This extends beyond the circumstances available to the 'hypothetical observer.'

This could include information on any other relevant facts affecting the decision, for example, council procedures. It does not include evidence from the member concerned as to their state of mind or evidence from the complainant as to why they believed the subject member's mind was closed.

The test is objectively looking at what view the facts give rise to. The courts have decided that the fair minded and informed observer has: access to all the facts, is neither complacent nor unduly sensitive or suspicious when looking at the facts, is able to decide between the relevant and irrelevant and on the weight to be given to the facts and is aware of the practicalities of local government.

The courts have accepted that these practicalities mean that the **fair minded and informed observer** accepts that:

- a) Manifesto commitments and policy statements which are consistent with a preparedness to consider and weigh relevant factors when reaching the final decision, are examples of legitimate predisposition not predetermination.
- b) The fact that the member concerned has received relevant training and has agreed to be bound by a Code of Conduct is a consideration to which some weight can properly be attached when determining an issue of apparent predetermination.
- c) Previously expressed views on matters which arise for decision in the ordinary run of events are routine and councillors can be trusted, whatever their previously expressed views, to approach decision making with an open mind.

d) To suspect predetermination because all members of a single political group have voted for it is an unwarranted interference with the democratic process.

e) Councillors are likely to have and are entitled to have, a disposition in favour of particular decisions. An open mind is not an empty mind but it is ajar.

What has become evident is that **the threshold**, in the context of administrative decisions, on the test of apparent predetermination is an extremely difficult test to satisfy. Unless there is positive evidence that there was indeed a closed mind, prior observations or apparent favouring of a particular decision is unlikely to be sufficient to establish predetermination.

The Adjudication Panel for England (APE) in case reference 0352 has also looked at the relationship between the Code and predetermination and gave an indication that where such issues arise there is a potential paragraph 5 Code breach. The outcome is likely to depend on the individual circumstances of a case and any other Code issues and breaches. This is because a councillor who renders the decision of a council unlawful due to predetermination could reasonably be regarded as bringing that authority or his office into disrepute.

An important issue for members is that by and large predetermination will not amount to a personal or prejudicial interest. Therefore there is no specific requirement to declare an interest and leave the room under paragraph 8 to 10 of the Code. Members may however find themselves the subject of a complaint under paragraph 5 on disrepute. This paragraph of the Code has no provision for declaring interests or leaving meetings.

For more information on the relationship between predetermination and the Code, what the practicalities of local government have been held to be and case details please see [Day One](#) on the events page of our Annual Assembly website.

For further information on determination please see our [Online Guide on Predetermination and Bias](#).

Local Assessment: sharing lessons learnt

One of the breakout sessions at our Annual Assembly in October was entitled *Local Assessment, sharing lessons learnt*. This session took the form of a discussion forum giving delegates the opportunity to share their experiences of the local assessment process since its introduction in May 2008.

Sessions were held in tandem for monitoring officers and standards committee members respectively. This gave each group the opportunity to share with their peers the challenges that had arisen in their authority and the solutions they had developed to meet these challenges. In addition, delegates

suggested a number of changes to the local standards framework. We value these suggestions but, clearly, many need further evaluation before a decision could be taken whether to make any changes.

A full breakdown of feedback from the sessions can be found on our dedicated [Assembly website](#), but we thought you might be interested in hearing what some of the main issues discussed were.

Top five issues discussed

1. Vexatious or Persistent Complainants

This topic was raised in all four sessions that took place. Potential solutions suggested by delegates included:

- asking for further Standards for England guidance on the definition of what a vexatious complaint is
- change legislation to allow monitoring officers to filter out such complaints and allow committees to refuse complaints from vexatious complainants
- having robust assessment criteria to filter out such complaints at assessment
- to write warning letters to complainants deemed vexatious by the council procedures
- to deliver targeted training
- to publish the average cost of assessing and investigating a complaint.

We are aware that persistent vexatious complainants are causing problems for a number of authorities. This is one area where we intend to provide further guidance for standards committees early in 2010, although we recognise that guidance alone is unlikely to solve this issue.

2. The role of the monitoring officer

Delegates questioned what role, if any, a monitoring officer should have in filtering out complaints before formal assessment by the standards committee. A variety of suggestions were made including that:

- Standards for England should produce further guidance on what steps monitoring officers can take before assessment
- monitoring officers should be given the power to filter complaints before assessment in consultation with the standards committee chair
- monitoring officers should make the initial assessment decision with any review undertaken by the assessment sub-committee

- monitoring officers should make the initial assessment decision for parish complaints
- there should be discretion to halt the formal process if a local solution is reached.

3. Informing the subject member that a complaint has been made

Currently monitoring officers can take the administrative step of informing a member that a complaint has been made about them. However, the current regulations do not allow them to disclose any details of the complaint. Many delegates felt that this puts monitoring officers in a difficult position, especially in circumstances where the complainant has spoken to the press.

Delegates suggested a number of solutions and changes that they would like to see including:

- asking members in advance whether they would like to be told if a complaint is made about them, and make them aware they cannot be told any details until after the assessment
- giving monitoring officers the discretion to reveal some details of a complaint to the subject member depending on the circumstances, in consultation with the standards committee chair
- requesting guidance from Standards for England on what the subject member should be told prior to assessment
- requesting guidance from Standards for England on what the subject member should be told prior to an investigation.

4. Resources

A number of delegates highlighted problems with finding resources to deal with processing complaints. There were some suggestions that monitoring officers could use the Local Government and Housing Act 1989 to ensure they had adequate resources to perform their functions.

Another suggestion was that parishes should either be asked to contribute or alternatively they should be charged for processing complaints about parish members. Currently parish councils cannot be charged for any costs incurred during the assessment or investigation of a complaint about a parish member.

5. Quality of complaint information

Delegates stated that poorly written complaints and lack of information from the complainant could make it difficult to make an assessment decision.

Delegates suggested that:

- a model complaint form from Standards for England would be helpful (we have already published a complaints form – [click here to download](#)).
- complainants should be encouraged to use, or that it should be mandatory to complete, an official form
- monitoring officers should request further information from the complainant if there is insufficient information to make an assessment decision
- the complainant should be asked what they would like the outcome of the process to be.

We are currently undertaking a review of the local standards framework and information gathered from the sessions will feed into this review process. However, some of the changes to the standards framework suggested would be difficult to implement as they would require primary legislation to be amended.

A number of requests were made during the sessions for further guidance from Standards for England. We will consider these requests and use the feedback to inform future guidance updates.

Annual return 2010

In April 2009 we collected annual information returns from the 438 local authorities that we work with, covering the period 8 May 2008 to 30 March 2009.

It is important for us to collect information from monitoring officers and standards committees on how they are helping to maintain high standards of ethical conduct in their authorities. This assists us in ensuring the effectiveness of local standards arrangements.

Last year's return was an opportunity for monitoring officers and standards committees to tell us in detail about the particular achievements, successes and difficulties they had in supporting and promoting the ethical framework. We used the returns to build up a bank of notable practice examples to share across the standards community. Many of these can be found on a dedicated [notable practice](#) section of our website and in our [annual review of 2008-9](#).

We will be continuing to collect examples of notable practice in the annual return 2009-10. The information we gather will allow us to cultivate a national overview of the local operation of the standards framework. We will use this to identify strengths and weaknesses of the framework, prompting where we should be producing guidance or seeking policy changes in response to emerging national trends.

The questions in the annual return are currently being developed. Some will stay the same as last year so that we can report on progress, but many of them will change.

Our reasons

We are aiming to have a shorter questionnaire which will use tick boxes where possible to capture practices that are common across many authorities. This should mean that less time is required completing responses; unless there are exceptional circumstances or innovative activities to tell us about. We only expect authorities to provide lengthy responses where they think that a narrative will help others in the standards community who may find themselves in a similar position.

We appreciate that the timing of the annual return is not ideal. April marks the start of the new financial year and is inevitably a busy time for all concerned. However, we want to be able to relay the messages from the year as soon as possible. Therefore, like last year, we will be asking for annual returns to be completed during April and May.

To help authorities complete this task during a busy time, we will be publishing the questions earlier. We hope to communicate the questions to monitoring officers in January 2010. This is so authorities have more time to plan and consult with their standards committee and other key figures, such as the council leader and chief executive, when preparing their responses.

Governance Toolkit for Parish and Town Councils

The second edition of the Governance Toolkit for Parish and Town Councils was well-regarded, winning a *Municipal Journal* Legal Achievement of the Year Award in 2007. The third edition of this valuable resource was finalised in April and is now available to download.

This edition has been revised, updated and produced in partnership between the National Association of Local Councils, the Society of Local Council Clerks, Standards for England and the Association of Council Secretaries and Solicitors. It is also endorsed by the Local Government Association. Milton Keynes Council, a fully parished part urban and part rural authority, is recognised as having been at the forefront of parish council initiatives for many years, and undertook the editing and production of this edition of the toolkit.

This new edition toolkit is a comprehensive, practical reference guide. The topics covered include governing documents, public engagement and managing information, creation of new town and parish councils and elections.

The toolkit will be most useful for

- town/parish clerks and councillors
- those interested in becoming a parish councillor

- principal councils wanting to establish parish councils in their areas
- monitoring officers.

If you would like to download a copy, you can find it in the [Resource Library](#) on our website under 'toolkits'.

Assessment Made Clear DVD

Copies of our new DVD – '*Assessment Made Clear*' have now been distributed to local authorities. We are keen to hear your feedback and so with each DVD there is a freepost feedback postcard, which should be quick and easy to complete and return to us. If you prefer to provide feedback online there is now an [online form](#) on our website.

So far we have been pleased with the response you've given to its approach in dealing with different assessment scenarios. However, some monitoring officers have expressed disappointment that it is not possible to freely copy the DVD as was the case with our previous DVD.

We have not envisaged a need for authorities to consider widespread distribution of this particular DVD. Our view is that this DVD is targeted at standards committee members serving on assessment sub committees and is best watched in a training situation, where group discussion supports the learning points set out in the DVD.

While it may be considered informative for a wider community of local councillors and appropriate officers, for such audiences we believe the context of the DVD, and discussion around it, are best moderated within a group training setting.

We do appreciate there may be cases where exceptions are to be made - so we have taken the decision to make further copies of the DVD available from us for £12.50.

Using the DVD

Alongside the usual features, the DVD includes 'pause and discuss' slides to allow you to pause after each case study and, as a group or as individuals, discuss or think through what you would do in that situation.

Subtitles are provided as an extra and scene selection allows you to revisit easily the sections that are of most interest to you. A pdf of the learning points is also available when viewing the DVD on your PC.

You can [view a trailer](#) of the DVD on Standards for England's website.

To order further copies please contact publications@standardsforengland.gov.uk or call our reception number – 0161 817 5300.

Police authorities and joint standards committees

In the *Joint standards committee guidance* we state that a police authority is unable to enter into joint arrangements with another police authority because Section 107(2) of the Local Government Act 1972 prevents them from having any of their functions carried out by other police authorities.

After receiving a large number of queries about this from police authorities we consulted again with Communities and Local Government. As a result of this liaison we now believe that our original interpretation of the legislation was incorrect. It is now understood that the 1972 Act does not prevent police authorities from forming joint standards committees with each other in line with the [Standards Committee \(Further Provision\) \(England\) Regulations 2009](#).

We would like to take this opportunity to apologise for the confusion. Our guidance will be modified shortly to reflect our updated position.

Review of the standards framework

We have all been operating the new standards framework for 18 months. As such, now is a good time for Standards for England, as the strategic regulator responsible for making sure it works effectively, to carry out a review of its effectiveness and proportionality. Where necessary we want to make recommendations to Communities and Local Government (CLG) for improvement.

We already have much of the information we need gathered from our research among various stakeholder groups (to which many of you have contributed - thank you), and from our own experience of monitoring and working with the standards framework. Soon we will be consulting with various bodies representing key local government and standards interests on what they think and about any recommendations we want to make. Our intention is to send these recommendations to CLG in March of next year.

We will keep you informed on the progress of the review through future bulletins and on our website. If, in the meantime, you have any queries then please contact Dr Gary Hickey on 0161 8175416 or gary.hickey@standardsforengland.gov.uk

Share your experiences of local standards

You can discuss anything you find topical in this Bulletin with fellow monitoring officers or standards committee members by using our new online forum. The Standards Forum, launched in October, provides a place for you to network, ask questions, share good practice, make recommendations and discuss any topics relating to the local standards framework.

All monitoring officers were automatically registered for the Forum and asked to send us the details of any members of their standards committees who wanted to join along with one other nominated officer. We have had a positive response and registered an additional 300 users, with more requests for membership being received daily. We intend to open membership up further by granting a further two officer registrations for each authority once we have registered this first wave of users. This is likely to happen early in the new year.

There are currently over 30 different subjects being discussed on the Forum. Popular topics include recommendations for external investigators and trainers; debates about protocols including the notification of subject members and the publication of decision summaries; and advice on the recruitment of parish members.

To find out more please access the [forum](#).

If you have any questions please contact forum@standardsforengland.gov.uk

Reminder: the importance of completing information returns

Within part 10 (Ethical Standards) of the Local Government and Public Involvement in Health Act 2007 it states that local authorities must send a periodic information return to us when we request one.

The periods we have specified, in the interest of not placing an unnecessary burden on local authorities, are the financial year quarters. In addition, we request a further return on an annual basis, meaning that there are five information returns required per year.

The information returns are extremely important. We need them to keep us up-to-date with how the local framework is functioning. They allow us to identify individual authorities that are not complying with the local standards framework or who are facing difficulties in implementing it.

So far authorities have been responsive in providing us with information on their experience, and the average percentage of returns completed for each quarter of the year is 99%. Over the 6 quarters for which we have requested returns, there have been just **13** instances where authorities have not provided a response. This is not bad when you consider there are over 400 authorities that we send requests to.

However, it often takes a significant effort to collect all of the returns. Roughly 75% of authorities complete their return by our deadline which is 10 working days after the close of each quarter. But the remaining authorities, who number more than 100, require multiple e-mail reminders and telephone calls before they complete their return. This is unacceptable, as it means it takes us longer than we would like to pull together all of the data and report on our findings.

Ultimately, we expect the authority's monitoring officer to complete our information returns. However, they can delegate this task to a colleague if they wish. For consistency we will always send our email correspondence directly to the monitoring officer, but if they know that they are not going to be available when a return is due they should delegate the task to somebody who is.

For more information on Standards for England's information returns please contact our monitoring team on 0161 817 5300.

Update on the transfer of the Adjudication Panel for England into the unified Tribunal structure

On 1 September, the General Regulatory Chamber (GRC) was launched as part of the First-tier Tribunal. The work of the Adjudication Panel for England will be transferred into the GRC in January 2010.

Legislative process

A 'Transfer of Tribunal Functions Order', transferring the functions of the Adjudication Panel into the GRC, has now been laid in Parliament. The order requires Parliamentary approval. Debates on the order will take place before the end of the year. The order contains amendments to the Local Government Act 2000, to the Standards Committee Regulations and to the Case Tribunal Regulations. Once Parliamentary approval has been obtained an amended version of each of those provisions will be available on the [Tribunals Service website](#).

The Order abolishes the Adjudication Panel for England, whose functions will then be undertaken by the First-tier Tribunal and will be known as the First-tier Tribunal (Local Government Standards, England). The President and members of the Adjudication Panel will be transferring as either judges or members of the First-tier Tribunal assigned to work in the General Regulatory Chamber of that Tribunal. The President will also be a deputy judge in the Upper Tribunal.

Impact on users

References and appeals made to the President of the Adjudication Panel are determined by Case Tribunals and Appeals Tribunals. The people who sit on those Tribunals will be the same people who determine these kinds of matters in the name of the First-tier Tribunal (Local Government Standards, England). The associated administrative work will also be undertaken by the same people as currently do this. Such work will continue to be based at the Tribunals Services offices in Leeds.

Since it was established, the Adjudication Panel has operated without any formal rules. That situation will change as a result of the transfer of work into the First-tier Tribunal. The procedure rules give more explicit powers of

direction to the First-tier Tribunal than were available to the Adjudication Panel, including power to summon witnesses.

All proceedings taking place after the transfer order comes into effect will be conducted in accordance with the rules of the First-tier Tribunal unless, in the case of proceedings which have already started, it would be unfair to apply particular provisions of those rules.

You can view regular updates on the [GRC page](#) of the Tribunals Service website.

COMMITTEE'S WORK PLAN

<u>Meeting Date and Time</u>	<u>Name of Report</u>	<u>Scope of Report</u>
Wednesday 10 March 2010 2.00pm	To review the size of Committee	To review the size of the Committee after one year of a 22 strong membership
	Draft Annual Report	To approve for publication
	Status Report on Complaints made under the Code of Conduct	Update
	Terms of Office of Independent Members	To consider the rotation of the terms of office of independent members
	Update on Review of Constitution	Update
	Communications Sub-Committee Update	Update and minutes of last meeting
	Training Sub-Committee Update	Update and minutes of last meeting
Wednesday 19 May 2010	Communications Sub-Committee Update	Update and minutes of last meeting
	Training Sub-Committee Update	Update and minutes of last meeting

	Update on Review of Constitution	Update
Wednesday 21 July 2010	Communications Sub-Committee Update	Update and minutes of last meeting
	Training Sub-Committee Update	Update and minutes of last meeting

Dates of future meetings:

Wednesday 22 September 2010

Wednesday 24 November 2010

Wednesday 12 January 2011

Wednesday 9 March 2011