

**CURRENT ISSUES**

**(Report by the Director of Central Services and Monitoring Officer)**

**1. INTRODUCTION**

1.1 The purpose of this report is to advise Members of -

- ◆ progress in the review of the Code of Conduct;
- ◆ recent referral statistics – including those involving local investigations;
- ◆ progress in the production of training aids to assist in the conduct of local investigations; and
- ◆ arrangements for the Fifth Annual Assembly of Standards Committees.

**2. REVIEW OF THE CODE OF CONDUCT - PROGRESS**

2.1 The Committee will recall their involvement in the review of the Code of Conduct for Members undertaken by the Standards Board for England earlier this year.

2.2 The key recommendations of the Board were presented to Local Government Minister Phil Woolas MP at the Fourth Annual Assembly of Standards Committees in September. In summary these were -

- ◆ the Code should be simpler, more enabling and owned by Members;
- ◆ the Code should empower Members as community advocates;
- ◆ the rules around personal and prejudicial interests should be clearer;
- ◆ the Code needs to be clear on what information should be confidential;
- ◆ private behaviour should be regulated when it seriously damages the reputation of local government;
- ◆ bullying cannot be tolerated and needs to be addressed more explicitly;
- ◆ the current duty for Members to report breaches should be removed; and
- ◆ the Code should protect complainants and witnesses from intimidation.

2.3 The recommendations are currently under consideration by the Government and a response was expected at the end of November (slightly later than anticipated) although at the time of writing this report no announcement has been made. The Government's response to recommendations from the Committee on Standards in Public Life and the Parliamentary Select Committee of the Office of the Deputy Prime Minister on the role and effectiveness of the Standards Board for England also are awaited.

### **3. REFERRAL AND LOCAL INVESTIGATION STATISTICS**

3.1 The Standards Board for England received 309 allegations in June, 321 in July, 374 in August and 293 in September giving a running total of 1,931 for the current financial year. The referral statistics for that period are reflected pictorially in the appendix.

3.2 Ethical Standards Officers referred 253 cases to Monitoring Officers for local investigation as at the end of September 2005 – equivalent to 32% of all cases referred for investigation since local referrals began in November 2004. In recent months, over half of all cases have been referred locally and this trend looks set to continue. 74 reports have already been received from monitoring officers and there have been 51 Standards Committee decisions on cases investigated locally. In 28 of those cases, it was decided that the Member had not breached the Code of Conduct. In the other 23 cases:

- ◆ 12 Members were censured;
- ◆ 1 was suspended for one month;
- ◆ 1 was suspended for three months;
- ◆ 3 were required to make an apology and undergo appropriate training; and
- ◆ 6 had no sanction imposed.

### **4. HELP WITH LOCAL INVESTIGATIONS AND HEARINGS**

4.1 The DVD referred to at the last meeting on promoting best practice in local investigations and hearings is in the final stages of production. The DVD, *Going Local: Investigations and Hearings* will follow the fictional case of Councillor Jones who has been accused of failing to declare an interest in a planning meeting which is considering an application submitted by his nephew. Viewers will follow the story line as it develops, from the initial referral of the complaint through to the Standards Committee Hearing. Learning points and commentary punctuating the film address some of the common areas of difficulty and the Board's recommended solutions. It also includes a section on the importance of local ownership of the Code of Conduct and the role of the Board in supporting its implementation.

4.2 It is anticipated that the DVD will be completed soon and distributed by the end of the year.

### **5. FIFTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES**

5.1 The Committee is alerted to the arrangements already made for the Fifth Annual Assembly of Standard Committees which will be held on 16th and 17th October 2006 at the International Conference Centre, Birmingham. Marketing for the event will begin in the new year.

### **6. CONCLUSION**

6.1 The Committee is invited to note the information presented in this report.

## **BACKGROUND PAPERS**

Bulletin No.26 – Standards Board for England  
Standards Board Website

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