



Haringey Council

Agenda item:

[No.]

Standards Committee

On 23 March 2009

Report Title: Ethical Conduct Training Programme for Standards Committee and elected members.

Forward Plan reference number :

Report of: **Monitoring Officer**

Wards(s) affected: **All**

Report for: **Non – Key decision**

1. Purpose

1.1 To present proposals to the Standards Committee for a programme of training in 2009/10 for Standards Committee members and for all elected members on questions of probity and ethical conduct.

2. Introduction by Cabinet Member

3. Recommendations

3.1 Members of the Standards Committee are asked to consider the proposals for Standards Committee membership training and for training briefings given to elected members, to make amendments to them as they see fit and then adopt the programme for the forthcoming year.

3.2 That the Committee considers whether it wishes to lay down minimum training requirements for individual committee members prior to their participation at each stage of the assessment, review and determination stage of complaints.

Report Authorised by: **Monitoring Officer**

Contact Officer: **John Suddaby – Monitoring Officer**

4. Director of Finance Comments

4.1 Any financial implications for Member training will be covered by the Member training budget

5. Head of Legal Services Comments

There are no legal implications

6. Local Government (Access to Information) Act 1985

7. Report

7.1 A recent report by Grant Thornton on Probity in the Council suggested that a training programme for the Standards Committee should be devised. Any such training programme should prepare members of the committee for assessment, review and determination functions among other and will need to reflect priorities as dictated by national developments and by local needs.

7.2 At a national level, we have been consulted on amendments that are likely to be made to the Members Code of Conduct. The resulting code changes will need to be understood and acted upon by the Standards Committee and all Councillors should be briefed upon them.

7.3 At a local level, there are two complaints presently under investigation which may result in determination hearings and another two complaints that are at the assessment stage. A new member has recently joined the Committee and the Committee will hopefully have two new independent members following the present recruitment process. The Committee may also have new elected members of the Committee after the Council AGM in May. Training will therefore need to relate to both training in the assessment and review processes of complaints and also in the conducting of determination hearings and will also have to incorporate and exemplify the changes made to the Code of Conduct.

7.4 The regulations bringing into play the assessment and review functions of the Standards Committees also assigned to the committee the function of considering claims from staff who wish to have their posts exempted from political restriction. There has been no training to date on this particular function and although it is not expected that this will be a regular feature of Standards Committee business, the training programme should cover this area.

7.5 The relationship between bias, pre-determination, and the holding of a personal interest has been the subject of much comment and legal argument in the recent

period. Disentangling the separate tests and appreciating the relevance of these concepts in any particular situation is something that the Standards Committee should become familiar with, particularly in view of the role its members must play as chairs and panel members at determination hearings.

7.6 Planning Committee functions always have the potential to excite controversy, often bringing to the fore strong community feelings and the Committee may feel that training on the separate roles of the Council in such situations and in particular upon the regulatory function may provide members with helpful background against which to understand and reach conclusions about complaints raised in this area.

7.7 The Standards Committee has been asked by the Standards Board for England (SBE) to look into whether additional guidance could be provided to Members regarding the need to ensure that a person advising a member in a professional capacity over whether it is in the public interest to disclose confidential information, is committed to keeping the information confidential. Because of other concerns that the Committee have had around the case in question which had led to the SBE's suggestions, this has not be actioned. However there may be a more general point to be considered here about the awareness and understanding of all members about the code of conduct provisions over confidential information. It is suggested that this could form the basis together with bias and determination for a briefing for all members.

7.8 Finally, in addition to formulating and presenting proposals for training activity as suggested above, the Standards Committee should consider whether it wishes to identify more clearly the training it will expect a member of the Committee to undertake on first taking up their seat on the body, before they take part in an assessment/review sub committee, and before they take part in a determination hearing

8 Recommendations

8.1 It is recommended that the Standards Committee ask officers to prepare the following training activities to take place in the new municipal year and to produce a schedule of suggested dates for each activity:

- Briefing to members of SC on amendments made to the Code of Conduct (as and when amendments are published)
- Briefing to all members (at political group meetings) on amendments made to the Code of Conduct (as and when amendments are published).
- Training for new members of the Standards Committee on the assessment and review of complaints processes and in addition for new independent members on the Code of Conduct (to take place within a month of the Council AGM in May)
- Training for all members of the Standards Committee on determination hearings (June)
- Training for all members of the Standards Committee on the law relating to bias and pre-determination in a local authority context (at a special meeting of the Standards Committee to be held before the Summer break)

- Training for all members of the Standards Committee on their functions in determining applications for posts to be exempted from political restriction (at Committee meeting in Autumn).
- Training for all members of the Standards Committee on the authority's planning functions. (Special meeting of the Standards Committee, see above).
- Training open to all members of the Council on the two issues of bias and pre-determination and confidential information (Autumn 2009) and consideration of what roles if any individual members of the committee would wish to play in running this training.

8.2 The Committee is asked to clarify whether it wishes to lay down minimum training requirements for individual committee members prior to their participation at each stage of the assessment, review and determination stage of complaints.

9. Financial Implications

9.1 The financial implications of Member training will be covered by the Members' training budget

10 Legal Implications

10.1 The legal implications are set out in the body of the report.

11 Equalities Implications

11.1 There are no equalities implications