

**Body:** **AUDIT AND GOVERNANCE COMMITTEE**

**Date:** **3 December 2014**

**Subject:** **Members and Standards: an update**

**Report Of:** **LAWYER TO THE COUNCIL AND MONITORING OFFICER**

**Ward(s)** All

**Purpose** To assist the Audit and Governance Committee in fulfilling its obligations in relation to member standards.

**Recommendations:** That the Committee note the following:

- The information supplied to it regarding complaints against members, dispensations issued to members and also member training on Standards
- The update provided on Standards-related matters

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## **1.0 Background**

1.1 Members will recall their longstanding invitation to the Monitoring Officer to provide quarterly updates on Standards-related matters. This report aims to provide such an update to this Committee in order to assist it in discharging its role in leading and overseeing standards of conduct at this authority.

## **2.0 Complaints**

2.1 No new formal complaints against members have been received in during this quarter. As none remain outstanding from previous quarters, no complaints await determination at time of writing.

## **3.0 Dispensations**

3.1 No new dispensations have been applied for since the last quarterly report.

## **4.0 Member Training**

4.1 As members are aware, one element of the Committee's remit is to review member training and development across all areas.

4.2 In October 2014, members of Licensing Committee attended a training session run by the Lawyer to the Council which amongst other things provided a recap both on the Code of Conduct and also on decision-making in a Committee environment. This session was open to all members who are involved in decision-making. Although take-up of the training by non-

Licensing Committee members was not high, the feedback of those who did attend was markedly positive. This has reinforced plans to ensure that those elements which members found particularly useful - such as the discussion of problem scenarios - features consistently in future standards training for all members. Plans are currently being formulated for induction sessions for any new members who are in post after May 2015, while future rounds of member training during the next financial year are also being formulated.

- 4.3 No further training on Standards-related issues has taken place during the last quarter.

## **5.0 Update on Standards related matters**

- 5.1 Sir Paul Bew, Chair of the Committee on Standards in Public Life ('the CSPL'), has recently emphasised the need for a broader conception of standards in the context of certain recent controversies about the Government's handling of two high-profile appointments. While the news stories on conflicts of interests and transparency which have hit the headlines in recent months do not involve local government and in any event raise issues which have not arisen at this authority, the principles are the same. Sir Bew's emphasis on a broader approach to standards to include the potential conflicts of interests of external appointees is relevant to all public bodies. This Committee will be mindful that unless potential issues are explored fully at the outset and transparency ensured throughout government then it is likely to result in an adverse impact on public confidence overall.
- 5.2 Members will recall that CSPL started a watching brief on the efficacy of local authorities' standards arrangements following implementation of the 2011 Localism Act. In its 2013-14 annual Report, the CSPL notes with approval the positive results of a snapshot survey (a survey in which this authority participated) of the arrangements at a number of authorities for member induction and training. While CSPL will continue to monitor the situation due to its ongoing concerns that standards in local government remain a matter of self-regulation, this authority has put in place robust arrangements for overseeing the conduct of members. Compliance with the Code of Conduct, member training and other matters relevant to the promotion of good standards of ethical conduct are all overseen by this Committee, which is equipped by means of regular training and updates such as this one to take action should issues arise.
- 5.3 On an unrelated topic, this Committee has previously noted the challenges inherent in a context where local authorities are exploring innovative ways of delivering public services, whether in partnership or otherwise. A different and more commercial skillset than hitherto is required from both officers and also from members. The CSPL has taken up a different aspect of the same story. It has published research which highlights the public's desire that the same ethical standards should be upheld by any organisation providing public services, regardless of sector. In a report directed primarily at central government, they recommend that proportionate ethical standards are made explicit in the commissioning, contracting and monitoring of the arrangements whereby public services are delivered on behalf of the

taxpayer. The emphasis is on the need to ensure adherence to ethical behaviour not just in those commissioning of external providers but also in those selected to deliver services. This is a message which is being communicated to those with responsibility for agreeing the terms of service commissioning on behalf of this authority.

## **6.0 Consultation**

6.1 There has been no consultation.

## **7.0 Resource Implications**

7.1 None.

## **8.0 Financial**

8.1 None.

## **9.0 Staffing**

9.1 None.

## **10.0 Conclusion**

10.1 Authorities must have in place arrangements to monitor member conduct and to promote effective decision-making. It also a requirement that steps be taken to promote high standards of conduct. This report aims to assist this Committee in discharging its responsibilities in this regard.

**Victoria Simpson**  
**LAWYER TO THE COUNCIL AND MONITORING OFFICER**

### **Appendices:**

None

### **Background Papers:**

Previous reports and minutes of this Committee.

The Constitution of Eastbourne Borough Council

Articles in the Local Government Lawyer, as well as an article in the national press by Lord Bew: [http://www.theguardian.com/public-leaders-network/2014/nov/14/lord-bew-standards-in-public-life-conflict-interest-fiona-woolf?CMP=twg\\_gu](http://www.theguardian.com/public-leaders-network/2014/nov/14/lord-bew-standards-in-public-life-conflict-interest-fiona-woolf?CMP=twg_gu)

The 2013/14 annual report of the Committee on Standards in Public Life, published in September 2014:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/358202/Annual\\_Report\\_241014\\_CSPL\\_Final\\_\\_V2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/358202/Annual_Report_241014_CSPL_Final__V2_.pdf)

CSPL Report on Ethical standards for providers of public services:

<https://www.gov.uk/government/collections/ethical-standards-for-providers-of-public-services>