

## **ANNUAL REPORT OF THE STANDARDS COMMITTEE FOR 2007**

Page 1 – Cover Picture (To be chosen at meeting on 18 January 2008. I am awaiting a good selection from our graphic designer!)

Page 2 – Herefordshire...covers 842 square miles etc.

Page 3 – Open, Fair and Proportionate (what we do)

Page 4 onwards:

Membership in 2007 and photographs (Members to decide if they want to update their bios or photographs)

### **ACTIVITIES IN 2007**

#### **THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) ORDER 2007**

We commented on the consultation to the Model Code of Conduct early in 2007, and made recommendations to Council on the Code, which it adopted in July 2007.

#### **TRAINING**

We considered the Head of Legal and Democratic Services' guidance on the statutory requirements relating to Council publicity in the run-up to the May 2007 elections (the purdah period), and produced a separate A4 guidance leaflet for parish and town councils.

Following the May 2007 elections, the Committee contributed to the induction literature and the councillors' induction programme. Our chairman gave a talk to members as part of the induction programme, on standards and ethics, and on the role of the Committee.

We held joint training sessions with the Herefordshire Association of Local Councils (HALC) in June and October 2007. We focussed on the implications (and implementation) of the new Code of Conduct, and on prejudicial and persona interests, as part of their broader training programme for parish and town councillors. We continue to work closely with HALC, and the excellent relationship we have with them is greatly valued.

We will be holding further joint training sessions for Standards Committee members from Herefordshire and Worcestershire, and also the Fire and Rescue, and Police Authorities. The subject will be the new Model Code of Conduct, and dealing with Local Assessment.

#### **HEARINGS AND LOCAL INVESTIGATIONS**

We have finalised our guidance for those attending Standards Committee hearings, and are in a position to start using this before and during hearings, to make participants aware of what to expect from the hearing process. This, together with a procedure note for officers, will provide comprehensive guidance for everyone involved.

We have considered the final reports of investigations relating to complaints against eight councillors. In each case, we found that there was no failure to follow the Code of Conduct. The full texts of all our decision notices can be found on the Council's website.

## **THE STANDARDS BOARD FOR ENGLAND: HANDLING OF COMPLAINTS**

We have continued to monitor the Board's handling of complaints, and are pleased to see continued improvement in the speed with which these are dealt with.

## **DISPENSATIONS**

It has been a particularly busy year for requests from parish and town councils for "dispensations" – that is, for our permission for members who have a prejudicial interest to be able to participate in council business when the subject of that interest is being discussed. This is partly due to the impact of the May 2007 elections, which brought in new members.

Our plain-language guide (available on the Council website) explains the background to dispensations, the legal basis for which is complex. We sought advice from the SBE in respect of the Regulations, in particular, the wording of paragraph 3(1)(a)(i), which in the light of a number of dispensations we had considered, we felt was ambiguous. The SBE agreed with us, but suggested that we should make our own interpretation on the basis that any reasonable interpretation is unlikely to be challenged. We are minded to adopt a more generous interpretation, because we are concerned that the business of parish and town councils might otherwise be unnecessarily obstructed.

## **WEST MERCIA INDEPENDENT MEMBERS' FORUM**

## **STANDARDS BOARD FOR ENGLAND SUMMER ROADSHOW**

Two of our members, Mr David Stevens and Mr Richard Gething, represented the Standards Committee at the SBE Roadshow in Birmingham on 14 June. It focused primarily on the new Code, and was a valuable forum for sharing advice. They were able to give feedback first-hand on the Committee's views on this subject.

## **SIXTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES**

The Committee was well represented at the Annual Assembly of Standards Committees this year, both in terms of attendance and participation. The Chairman and the Head of Legal and Democratic Services both led seminars at the conference.

It was an invaluable experience, and provided a great deal of information on the new Code of Conduct, and on local assessment. We will need to decide how to deal effectively with the extra stages in the investigation process that will become our responsibility.

We also had the opportunity to share our annual report, chairing checklist, and hearing guidance with other authorities, and these were met with approval and numerous requests to take the documents away and replicate them. We felt that this said a lot for best practice in Herefordshire.

## **GUIDANCE, PROTOCOLS AND THE CONSTITUTION**

We have reviewed the various codes and protocols for which we are responsible to ensure that they are compliant with the new Code.

Code for Members and Officers Dealing with Planning Matters;

Protocol on the Use of Council Resources by Members;

Protocol for Member/Officer Relations;

Code of Corporate Governance;

Communications Protocols.

## **LOCAL ASSESSMENT/THE LOCAL FILTER**

The Committee has contributed to the project run by the SBE to assist planning for the operation of the local filter. This is a major change to the local government standards framework, and means that all cases will first be dealt with at local level, with referral to the SBE every much the exception. We have argued for this change strongly, and are sure that local ownership of the process will be welcomed in Herefordshire.

## **WEBSITE**

The Standards Committee now has its own web pages on the Council website, where you can find more information about what we do, view agenda, minutes, and hearing details, and download forms and practical guidance. There are also links to other related organisations such as the Standards Board and the Herefordshire Association of Local Councils. You can find our pages by going to [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk), and clicking on "Standards and Ethics" in the Quick Links box on the right hand side of the home page.

## **SPECIAL AUDIT INVESTIGATION AND FINANCIAL GOVERNANCE**

### **A LOOK BACK AT 2007**

### **OUTLOOK FOR 2008**