



Meeting Agenda

**Standards Committee
Reception Room,
Town Hall, St Annes
Wednesday 2 September 2009, 7:00pm**

**The maximum capacity for this meeting room is 60 persons –
once this limit is reached no other person can be admitted.**

STANDARDS COMMITTEE

MEMBERSHIP

CHAIRMAN - Mr D Birchall

VICE CHAIRMAN – Councillor Brenda Ackers

Councillor Paul Hayhurst

Mr H Butler

Councillor Howard Henshaw

Linda Burn

Councillor Kevin Eastham

Mr A Marsh

Roy Male

Glynn Driver

Richard Nulty

Contact: Peter Welsh, St. Annes (01253) 658502
Email: peterw@fylde.gov.uk



Our Vision

To establish Fylde Borough Council as a high performing local authority

Our Corporate Objectives

To improve the economic, social and environmental well-being of our communities through:

- The promotion and enhancement of the natural built environment
- Increasing the availability and access to good quality housing for all
- Maintaining healthy and safe communities to reduce the fear of crime
- Supporting and sustaining a strong and diverse Fylde coast economy to further enhance employment prospects

We will achieve this by:

Focusing on customer requirements
Clear community and organisational leadership
Delivering high quality, cost-effective services
Partnership working



A G E N D A

PART I - MATTERS DELEGATED TO COMMITTEE

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>if a member requires advice on declarations of interest he/she is advised to contact the Monitoring Officer in advance of the meeting. (for the assistance of members an extract from the councils code of conduct is attached).</i>	4
2. CONFIRMATION OF MINUTES: <i>to confirm as a correct record the minutes of the standards committee held on 20 May 2009 attached at the end of the agenda.</i>	4
3. SUBSTITUTE MEMBERS: <i>details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
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Personal interests

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
 - (ii) any person or body who employs or has appointed you;
 - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (vii) any land in your authority's area in which you have a beneficial interest;
 - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

- 9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

Prejudicial interest generally

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
 - (b) you must not exercise executive functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

REPORT



REPORT OF	MEETING	DATE	ITEM NO
MONITORING OFFICER	STANDARDS COMMITTEE	2 SEP09	4

STANDARDS FOR ENGLAND CORPORATE PLAN 2009-12

Public Item

This item is for consideration in the public part of the meeting.

Summary

Standards for England has published its corporate plan, which sets out its objectives, work and priorities for 2009-12.

Recommendation

1. Note the Standards for England Corporate Plan.

Report

1. Standards for England ("SfE") is the strategic regulator with the function of overseeing the work of local standards committees. It has recently published its corporate plan for 2009-12, entitled "The Changing Role of the Standards Board for England". The plan sets out the present role and objectives of SfE and how it intends to prioritise its work during the period to 2012.
2. When established in 2001 by the Local Government Act 2000, SfE had responsibility for assessing whether or not to refer complaints about councillors for investigation and for conducting investigations. Legislative changes have largely given those functions to local standards committees instead.
3. SfE's corporate plan identifies three objectives for the organisation during 2009-12. These are:
 - Be a respected strategic regulator adding value to local governance

- Ensure the local standards framework is a success; and
 - Continue to improve our business capability and effectiveness.
4. The corporate plan seems to envisage SfE taking a greater interest in wider issues of corporate governance systems. This is a logical part of the remit of a strategic regulator. But it risks an increasing identity of interest with the Audit Commission. It will be interesting to see how a future government manages this in context of predicted cuts in public expenditure

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

Report Author	Tel	Date	Doc ID
Ian Curtis	(01253) 658506	21 August 2009	

List of Background Papers		
Name of document	Date	Where available for inspection
Standards for England Corporate Plan 2009-12	2009	Town Hall, St Annes and www.standardsforengland.gov.uk/media/SFE_CorporatePlan%20230709.pdf

Attached documents

1. Standards for England Corporate Plan 2009-12.



The changing role of the Standards Board for England

Corporate Plan 2009-2012

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“It is important that the conduct regime continues to be a success. I do not think it is an exaggeration to state that the conduct regime helps to underpin one of the foundations of a healthy democracy; trust in our elected representatives.”

Changing for the better

The Standards Board for England is a young organisation, established in 2001. Our main job then was to investigate allegations of misconduct by elected members of local authorities and certain other bodies in England. In May 2008 our role changed significantly. The statutory provisions¹ that then came into effect created a new role for the organisation as a strategic regulator, with routine misconduct allegations now dealt with at a local level by standards committees. We retain responsibility for investigating those allegations that for one reason or another are not suitable for resolution locally.

Last year was a transition year. We managed the transfer of some of our traditional investigations responsibilities to local government, and supported local authorities as they implemented the new arrangements. We consolidated our move from London to Manchester, welcomed three new Board Members and a new Chair and Chief Executive, and concentrated on developing our capacity to deliver new responsibilities.

This is a new era for the Standards Board. The organisation starts the 2009 business year as it means to go on – as a strategic regulator. Our objectives and aims for the period covered by this plan reflect our new responsibilities. We aim to make a positive and valued contribution to local democracy.

The key measures of success for us and for the new local standards framework are set out later in this plan. They reflect the need for the public to have confidence in standards of conduct across local government and in how allegations of misconduct are dealt with. If we do our job well, then we play our part in building and maintaining public confidence in local democracy.

Our role has changed. The model for local democracy is also changing and developing. Our priorities and plans will necessarily evolve in response. We will always provide government with advice and evidence of the checks and balances, controls and requirements that in practice drive high standards of behaviour and increase trust in local democracy.

1. Introduction

The landscape of local democracy is changing – and so is the Standards Board for England.

This section explains our role and our priorities from 2009 onwards.

It outlines how our strategy, support and guidance are built around three clear principles, pre-emption, prevention and protection.

Our role

The Standards Board is a strategic regulator, leading in the field of standards, conduct and values for those participating in local public life in England. There are over 80,000 people participating as elected members in local democracy in England at any one time.

The Standards Board supports 351 local authorities as well as the Greater London Authority and 86 other relevant authorities (such as police or national parks authorities) as they manage risks to standards, conduct or the wider public sector values that underpin specified standards and conduct requirements. We have three main roles, **pre-emption**, **prevention** and **protection** described below.

Pre-emption

The Standards Board maintains the local standards framework, which sets out expected standards of conduct, beckons elected members to comply with these standards, and sustains a local network to apply them in a variety of local settings.

Prevention

The Standards Board evaluates and assesses risks to standards and values in individual authorities. We focus on situations where there is reason to believe that expected standards are either at risk of breaking down or are starting to break down. The Standards Board advises, guides and intervenes where necessary, to prevent the undermining of expected standards of behaviour and to reduce consequential risks.

Protection

The Standards Board investigates misconduct allegations against individual elected members that, for one reason or another, are unsuitable for local resolution. In certain circumstances, the Standards Board also intervenes in an authority to protect local democratic arrangements and to restore appropriate standards. Protecting public decision-making, protecting the victims of breaches from further damage and stopping infringers from continuing inappropriate behaviours are the aims of our protection work.

Our role has changed. The model for local democracy is also changing and developing. Our priorities and plans will necessarily evolve in response.

Our priorities

We can't predict all of the issues that will arise as the standards framework matures, but we know for certain and from experience so far that there will be testing issues.

Our first priority in our **pre-emption** role is to continuously identify these issues and to work with the regulated community to address them. Our second priority is to develop the standards community's own capacity to support the regulated community.

Prevention is a new responsibility for us, and we believe the Standards Board can make a real difference in this area. We have two priorities. Firstly, the development of systems designed to identify those most at risk in the regulated community so that we can intervene promptly to help reduce those risks.

Secondly, we will concentrate on those areas where material risks to standards are most likely to arise, for example in the various partnership arrangements that authorities are increasingly engaged in. We will develop and share our understanding of how best to manage such risks, starting with partnerships involving the private sector.

In our **protection** role, our priority is to review and strengthen our investigations capacity and capability. And we will continue to give priority to the investigation of misconduct allegations not suitable for resolution locally.

Our approach

Our staff have embraced our commitment to being fair, helpful and authoritative.

So, the Standards Board is approachable and responsive: for example, on average we deal with over 200 individual requests for guidance and support each month. We aim to make consistent and timely decisions. We develop, apply and share our knowledge and expertise, to enable us to support the regulated community well. And where we deem it necessary, we intervene purposefully to assist individual authorities.

We will be open about what we do and how we do it, although, for obvious reasons, we are discreet about individual misconduct allegations and authorities while cases are ongoing.

We work closely with the Audit Commission, the Improvement and Development Agency, the Local Government Ombudsman and other delivery partners.

We liaise closely with relevant representative groups, for example the Local Government Association, the National Association of Local Councils and the Association of Council Secretaries and Solicitors, to make sure that we continue to deliver services in the best way we can to the regulated community.

2. Overview of objectives

This section provides an overview of our three key objectives.

These are the building blocks of our commitment to achieve excellence in our new role and make a positive, valued contribution to local democracy.



“...local politicians and others need to be able to show not just that they are making the right decisions but that they have robust and transparent processes for reaching them. That they are not influenced by any considerations of personal gain.

And that there is sufficient accountability for their decisions and scrutiny of them that the rest of us can have confidence that these conditions are met.”

Overview of objectives 2009-2012

Our objectives are designed to ensure that we make a real and demonstrable difference to local democracy. We will:

1. Be a respected strategic regulator adding value to local governance

- a** Ensure there is an effective standards framework across all local governance arrangements
- b** Make a demonstrable difference to local democracy
- c** Be recognised as a centre of expertise in the field of ethical governance

2. Ensure the local standards framework is a success

- a** Ensure that the framework is felt to be fair and proportionate and that complainants and those complained about feel they have been treated fairly
- b** Identify failings in the local system and respond accordingly
- c** Support standards committees in promoting high standards, so enhancing the reputation of local government

3. Continue to improve our business capability and effectiveness

- a** Understand and be responsive to the needs of those we work with
- b** Have the right skills and apply our resources to meet these needs
- c** Make sure that we operate in line with modern regulatory good practice

3. Objective 1

Our first objective focuses on how we will safeguard local standards and champion accountability in local government partnerships. We will identify and deal with the most material risks to local democracy and, as a centre of expertise in ethical governance, influence policy and debate.

Objective 1: A respected strategic regulator adding value to local governance

The organisation has an important pre-emption role, in supporting the establishment and maintenance of the local standards framework. It also advises government of the efficacy of the local standards framework and ways in which it can be improved.

The organisation is developing as a centre of expertise within the sphere of ethical governance. This ensures that our stakeholders are able to draw on authoritative advice, guidance and support and innovative solutions to issues and problems. Moreover, this expertise will enable us increasingly to lead, influence and shape debate and policy on local governance and standards issues, and champion the importance of high standards in local public life.

We believe that for the local standards framework to be effective, it should be comprehensive, recognising the breadth of local governance arrangements. It also needs to be proportionate, in theory and in practice. And we share with those involved in local government a concern that the local standards framework should make a positive contribution to local democracy in an increasingly complex world. This leads us to identify and deal with the most material, systemic risks, and those most at risk.

Work and priorities 2009-10

Ensuring there is an effective standards framework across all local governance arrangements

In 2009-10 we will give priority to one aspect of local governance arrangements.

Local governance arrangements increasingly involve local authorities working in partnerships with other public bodies, the private sector and the voluntary sector to ensure more effective local delivery and ensure positive benefits for the communities they serve. In our prevention role, we are interested in all local governance arrangements that carry particular risk.

We will therefore take a lead in developing ways to ensure that, wherever decisions are being taken which involve public service delivery and which affect local communities, there is a proper accountability and standards framework. This will help to ensure the public can trust that these new delivery mechanisms are accountable for their decisions. We will do this by ensuring that the risks are identified and understood. We will also develop solutions that can be applied to local circumstances and that are proportionate to the risk they are seeking to address.

In particular, in 2009-10 we will complete a practical project already underway with particular authorities, designed to identify best practice in managing general partnership risks. And we will complete joint research with the Centre for Public Sector Partnership at Birmingham University on standards risks in partnerships between local government and private sector organisations (public/private partnerships). In this area, the particular standards risks are an issue not just for elected members but for others participating in the partnership.

We will therefore develop a series of tools which can be used locally to assess and improve local government partnership arrangements.

Making a demonstrable difference to local democracy

Here the Standards Board will seek to identify and deal with the most material risks. So for example, as a number of councils move towards unitary status in 2009-10, we will issue guidance and offer practical support to those involved so as to mitigate standards risks.

To do our prevention role well, it is important that we are able to identify promptly those authorities that may be at higher, material risk for one reason or another.

In 2008-09 the organisation actively supported nine² individual authorities experiencing standards problems. In some cases we were able to identify that the authority was in difficulty, from the systems we use to monitor and track compliance with the basic requirements of the local standards framework³. In others, we were approached by the authority concerned or a delivery partner. We expect that some other authorities experienced problems, but those problems were not visible to us when we needed to know.

In 2009-10 the organisation will develop systems designed to identify those individual authorities most at risk. We will wish to develop our relationships with those we judge most at risk.

²Figure as at 31 December 2008

³Please refer to our website, www.standardsboard.gov.uk, for more detailed information on our monitoring data.

A centre of expertise in the field of ethical governance

Public sector values and standards in local democracy are matters of deep interest to us. How are they to be embedded, safeguarded and assured as the model for local democracy evolves? We will lead and stimulate the necessary debate on these matters. The Standards Board will inform and influence the development of the most effective arrangements in the field of ethical governance in local democracy in its various forms, so to secure and maintain standards.

We will continue to participate in events to promote the development of robust standards regimes in other countries and to share learning and knowledge, as we are increasingly recognised internationally as expert in the field.

Having completed over 4,000 misconduct investigations, we already have hard-earned expertise in case handling. We are now gaining wider experience. In doing our daily work – pre-emption, prevention, protection – we will increase and consolidate our

expertise. In 2009-10 we will review and develop the organisation's well-established research programme, to ensure that it is fully aligned to our new role, objectives and aims.

Work and priorities 2010-11

Maintaining interest in those governance arrangements that carry particular risks.

We expect to consolidate and expand our work on partnerships as they become increasingly significant to local democracy. We will continue to ensure that our tools are being used to drive improved accountability in partnerships.

During the year we will consider and consult with others to identify other governance arrangements that carry particular risks for the regulated community, so that we can help to prevent or minimise those risks. We are interested, for example, in the standards issues associated with planning and procurement decisions. Our investigations experience in this

area tells us that, at best, there is some confusion amongst the general public as to the safeguards in place, and concern about the extent to which they are seen to be adhered to. We are also interested in the standards issues that arise through blogs, virtual networks and other electronic means of communication.

By 2010, our new systems for identifying those most at risk will be bedded in. They will enable us periodically to evaluate each regulated authority and to track changes in each authority's standards risk profile. Authorities will have had their first experience of the Audit Commission's new assessment process, Comprehensive Area Assessment (CAA), where our assessment of individual authorities' ethical

arrangements will feed the wider 'use of resources' CAA assessment. We plan to complement that in 2010-11 by sharing with individual authorities our assessment of their standards risks.

The Standards Board will at this point have had some two years' experience of working with individual authorities as they seek to redress standards issues. We expect then to be in a position to develop and publish ethical recovery tools to help authorities to help themselves, if and when they experience what we find to be common problems.

Work and priorities 2011-12

Evaluating the local standards framework.

In May 2011 (and assuming no radical change) the existing local standards framework will have been operating for three years. The Standards Board will undertake a formal review to evaluate the local standards framework's efficacy and proportionality, and will advise government of any recommendations for change thought necessary or desirable.

The Standards Board has a growing international profile in the specialist area we work in. We are regularly approached to help developing democracies in their design and evaluation of the local standards elements of their respective governance models⁴. The organisation expects to continue to respond supportively to such requests where they can be accommodated without affecting day-to-day business. The organisation's developing expertise in the national and international models should inform our view of the arrangements in this jurisdiction.

The Standards Board is developing as a centre of expertise within the sphere of ethical governance.



⁴The UK ranks 16 in the 180 countries included in the most recent Corruption Perceptions Index produced by Transparency International. Denmark was ranked highest, with Myanmar and Somalia ranked lowest.

4. Objective 2

Our second objective concentrates on how we will ensure the success of a fair and proportionate local standards framework. This work includes monitoring the standards performance of local authorities, not only to identify and respond to failings in the system, but also to recognise and celebrate high standards.

Objective 2: Ensuring the local standards framework is a success

The new local standards framework has been operating for almost a year, and we have been monitoring how it has been working in practice.

Public confidence in the local standards framework and in the redress mechanisms for any individual failing are important elements of public confidence in local democracy.

We are identifying and dealing with emerging problems as they arise. We anticipate new and testing issues. One of our stated priorities in our pre-emption role is to identify these issues continuously and to work with the regulated community to address them. Another is to develop the standards community's own capacity to support the regulated community.



Public confidence in the local standards framework and in the redress mechanisms for any individual failing are important elements of public confidence in local democracy.

Work and priorities 2009-10

Ensuring the standards framework is felt to be fair and proportionate, and that complainants and those complained about feel they have been treated fairly.

Since the Standards Board was created in 2001, there has been increasing evidence of higher local standards. 44% of members and monitoring officers surveyed said that members' standards of behaviour had improved over recent times, whilst 84% of members and 76% of officers said that efforts to drive up ethical standards were encouraging appropriate behaviour⁵. By mid-2009 we will have the outcome of our latest empirical research on how the standards framework is viewed and whether it is felt to be fair and proportionate, and this will inform our priorities and actions for the future.

The organisation is more immediately informed of the issues of most concern to the standards community by more direct channels (for instance our telephone help lines and our Annual Assembly). We will and are responding to those identified needs as they arise and we will continually seek to improve the flow of information and feedback between the Standards Board and the standards community. Already, our website receives over 75,000 visits a year.

To fulfil our pre-emption role we will continue to issue guidance and support where it is needed, for example in relation to the local management of alternative actions⁶ other than a conduct investigation. Authorities are taking alternative action in response to about 15% of conduct allegations and it is important to get this right.

We will issue further guidance on local determination and guidance on new regulations and Code of Conduct provisions as they come into effect. If the local standards framework is to be extended to cover new national arrangements for local authority officers, we will support that development in every way we can.



⁵The first figure is from a survey carried out by BMG Research on behalf of the Standards Board in 2007. The figure had risen from 27% when a similar survey was done in 2004 by MORI. The 2007 survey also showed 89% support amongst members and officers for the need for the Code of Conduct and 78% having confidence that their local standards committee was impartial. The other figures quoted are taken from Audit Commission statistics compiled from their Ethical Governance Diagnostic.

⁶When a standards committee considers a case they can decide to take no action, to investigate a matter or to take alternative action. Alternative action is often appropriate where an allegation seems to highlight more systemic failures, recurring patterns among a number of members or a breakdown in inter-personal relations. It may include seeking mediation between individuals, training for members or a review of part of an authority's governance arrangements.

Identifying failings in the local system and responding accordingly.

Our monitoring systems enable us to spot individual authorities not compliant with the statutory local standards framework or facing some issues in implementing the framework. We identified 44 such authorities between May and December 2008, and engaged with them to ensure compliance and address their difficulties. We will continue to monitor compliance with, and performance against, the statutory and regulatory requirements of the standards framework, intervening when necessary.

Supporting standards committees in promoting high standards, so enhancing the reputation of local government.

As a priority, the Standards Board seeks to develop the standards community's own capacity to support the regulated community. We know from experience that those involved in the standards community benefit from opportunities to share effective practice and to learn from each other. Throughout the period covered by this plan, we will create and foster those opportunities.

In 2009-10 the Standards Board will require standards committees to complete an annual return which will help us assess the effectiveness of local governance arrangements and the role of standards committees in promoting high standards.

In 2009-10 we will also develop and support standards committee networks of common interest, to enable best practice to be shared continuously. And we will evaluate and build on our first efforts to recognise publicly those most successful in promoting standards through an award scheme. We believe in celebrating and promoting success.

In 2009-10 we will also develop and support standards committee networks of common interest, to enable best practice to be shared continuously.

Work and priorities 2010-11

We can expect to be dealing with emerging issues that will influence whether or not people see the standards framework as fair and proportionate, although we cannot predict precisely what those issues will be.

By 2010-11, some standards committees will be well experienced in conduct investigations, with others less so. At any one time, some 600 or so allegations are being investigated locally and it is

important that these investigations are done and concluded in a timely and fair manner. We will work with standards committees and others to develop ways in which we can gauge the quality of local investigations. So for example we expect to carry out a sample survey of local assessments, investigations and hearings.

As local arrangements mature, more standards committees will be in a position to follow the example already set by the best, so as to play their full part in promoting high standards in their authorities. In 2010-11 we will develop, with standards committees, a model questionnaire to enable them to gather local feedback on how they are doing. And we will continue to develop and maintain a qualitative self-assessment benchmark for standards committees to use.

Work and priorities 2011-12

We will repeat our periodic and systematic research into how the standards framework is viewed, and this will inform our work programme for 2011 and beyond.

By 2011-12, we expect to be working alongside exemplars in the field and from within the regulated and standards communities, and with established standards community networks. We plan to develop peer review processes to enable the standards community to self-review.

Throughout the period covered by this plan we will monitor and publish information on compliance with the local standards regime.

5. Objective 3

To put standards and ethics at the heart of local governance we must work closely with the regulated community. Our third objective focuses on how we continually develop our services, skills and products to respond to the needs of those we support, and apply best practice in the field of regulation.

Objective 3: Continuing to improve business capability and effectiveness

Like all strategic regulators, the Standards Board seeks to work symbiotically with its regulated community.

To make the best contribution, the organisation needs to be skilful and to apply its resources effectively, applying modern best practice in strategic regulation.

Work and priorities 2009-10

We aim to understand and be responsive to the needs of those we work with.

It is convenient to talk of standards in local democracy as a whole, but those involved in local democracy will recognise that it is mixed and multi-layered. The system is changing and evolving over time: our local democratic arrangements stretch from the London mayoral model at one end of the spectrum, to parish councils at the other. And of course, some of our parish councils represent large communities in themselves, such as the 65,000 residents of Weston-super-Mare.

We plan to recognise and be responsive to the various elements of our local democratic model. We will develop products aimed at specific communities of interest. So for example, we will produce tailored products to support the standards community in its work with parishes.

We have well-established relationships with individuals in the standards community. We value those relationships highly, and will work to maintain them to mutual benefit. We also want to do more to understand the needs of the wider regulated community, and the views of the public at large. In 2009-10 we will review

and develop our stakeholder engagement programme, and the ways in which we relate with those in the regulated community and the wider, general public. We want to know of standards issues of interest and concern, and to develop, share and promulgate best practice solutions.

It is important that the Standards Board responds in the right way to identified issues. In our preventative role, and as we gain in experience, we will develop our range of interventions with authorities so as to enable us to apply the most effective solutions to problems as they arise.

We aim to have the right skills and to apply our resources to meet the needs of those we work with.

Last year we changed the way we were organised internally as we took on our new responsibilities. We will consolidate those changes early in the 2009-10 business year.

As a small and specialist organisation, we need to be unusually flexible, while at the same time retaining and developing specific skills, knowledge and expertise. Our people strategies for 2009-10 and beyond are designed to meet these needs, helped by the changes we have already made to the way we are organised internally.

To increase flexibility we will review and develop our staffing model. We already engage our people on a mix of full time, peripatetic and associate terms. We anticipate that, as we increasingly provide tailored support to individual authorities, we will wish to expand the range of associates we work with, and also develop our own people in that work.

Our people generally like working with us, and feel passionate about the work we do. But we can always do more to lead, manage, develop, recognise and reward. In 2009-10 we will review our reward and recognition strategy and develop and implement a talent management strategy.

We wish to demonstrate and account for how we apply our resources. We will develop our management information systems, to show how our money is spent by reference to each of our new objectives and to the functions we undertake.

Operating in line with modern regulatory practice.

Much of this plan sets out how the Standards Board will apply best practice in the field of regulation. We are developing and applying risk-based systems and approaches that will enable us to deploy our finite resources to best effect in 2009-10 and beyond.

The combination of best practice and our established expertise and knowledge in the area we regulate will enable the organisation to make a demonstrable difference where it is most needed. To be most effective the organisation needs the right range of powers and responsibilities. During 2009-10 the Standards Board will conduct a review of its statutory powers, and will advise government of any changes necessary to ensure continued fitness for the business of strategic regulation.

A key element of the Standards Board's protection role is our investigation of misconduct allegations not suitable for resolution locally⁷. We know from earlier research that the majority of individuals investigated by the Standards Board feel that they were treated fairly, and tell us they are content with the process of investigation.

But we are concerned that our most complex investigations can take some time to complete. In 2009-10 we will review our investigations process, benchmarking ourselves against other investigatory bodies. We expect to implement any recommendations arising from the review in the latter half of 2009-10.

The knowledge we have in the organisation is a significant asset, and we want to get better at managing it. Our planned systems developments will make a big difference, but in 2009-10 we will identify and begin to implement additional ways of managing the organisation's collective knowledge and expertise well.

⁷In the period 8 May to 31 December 2008, the Standards Board accepted 65 misconduct allegations for investigation.

Work and priorities 2010-11

We will continue our efforts to identify and respond to the needs of the regulated community.

We believe the time will be right to review the effectiveness of the participatory events that we sponsor and deliver so that we continue to support the regulated community in the best way we can.

We wish to deliver our services effectively and efficiently. In 2010-11 we will review and implement any identified changes to the way we work that are likely to increase our effectiveness or our efficiency.

Work and priorities 2011-12

A continued focus on best practice.

In this our third year as a strategic regulator, we will review our adherence to regulatory best practice and the established Hampton principles, to ensure that the Standards Board operates in line with modern best practice.

“Many respondents feel that the behaviour of elected members has improved to some degree since the Standards Board has been in existence.

Some feel that the improvement has been dramatic... many feel that there has been a marked reduction in examples of serious and flagrant misbehaviour such as misuse of authority resources for election campaigns and abuse of expenses.

However, most obvious say respondents, is a more respectful use of language during meetings, less bullying behaviour and prejudicial interests now being disclosed routinely at meetings. The reason given by most for the perceived improvement in member behaviour is the existence of the Code of Conduct and high levels of awareness of the rules of behaviour. ”

6. Organising to succeed

This section outlines our measures of success for 2009-2012, and summarises the organisational structure we will put in place to help us achieve them. Our draft expenditure summary for 2009-2012 is also included.

Making a difference

For understandable reasons, national attention is more often focused on the arrangements for ensuring ethical standards at national government level.

But our experience confirms that local arrangements are just as important to the general public.

The Standards Board for England has set out its priorities for the period 2009-2012 in this plan. They reflect the concerns and needs of the regulated community and the legitimate interests of the

public. The Standards Board is developing beyond its roots as an investigations body, and becoming increasingly able to make a positive difference for those participating in local democracy and those served by local democracy.

We believe that if we deliver to plan, then those in the regulated community can have confidence in the comprehensiveness and proportionality of the local standards framework, in theory and in practice. Moreover, the

Standards Board will materially and positively influence public confidence in the local standards framework and in the redress systems for dealing with any individual shortcomings. This is extremely important. Local democratic choice will be better exercised if electors can have confidence that all of those elected operate in an environment of high ethical standards, and can be called to account if needs be.

Measures of success

Traditionally the Standards Board's key performance indicators have related predominantly to our investigation of misconduct allegations, as that was the organisation's main business.

We believe that customer care standards in investigations and in our other areas of activity are important. We will review customer care standards with our sponsor department and with other key stakeholders annually. Our

standards for 2009-2010 are set out in **Table 1**. The table also shows our key performance indicators for the period covered by this plan. They are designed to measure whether or not we succeed in our objectives.

We will report on the extent to which we meet these key performance indicators in our successive annual reports. At the same time we will report on our customer care performance.

Table 1:

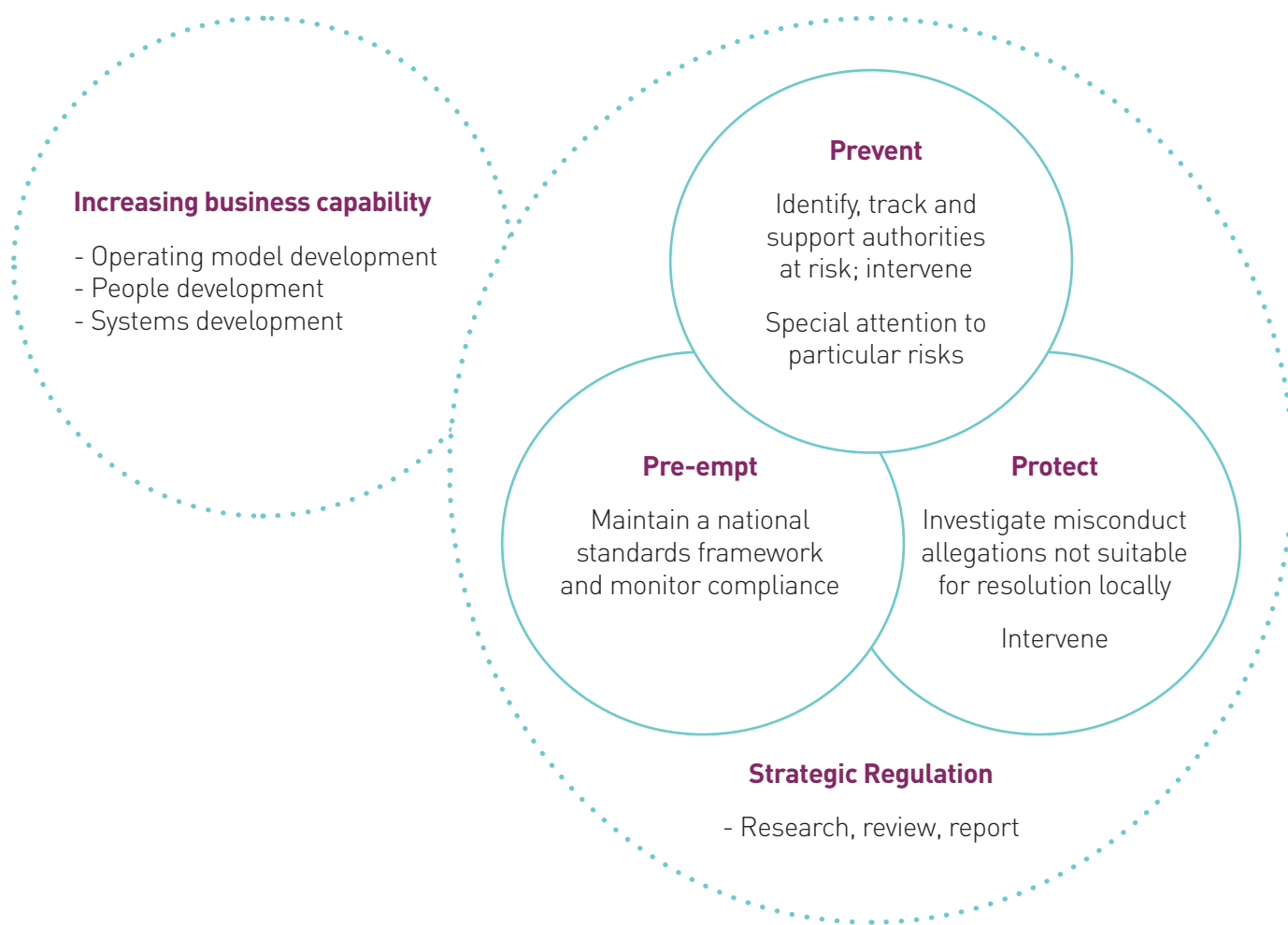
Key performance indicators 2009-2012

KPI No	Links to objectives	Details of KPI	Year 1 measure	Year 2 measure (target)	Year 3 measure (target)
1.	1.a	We make a difference to confidence in the probity of local partnership governance arrangements	Develop and disseminate tools to allow local standards committees to examine and improve local partnership governance arrangements	Local standards committees are using toolkit and other Standards Board work to drive improvements in partnership arrangements	Increased confidence in partnership governance in key audiences
2.	1.b	Our entity risk management programme is effective in identifying individual risk	We have developed and populated our systems for identifying and recording risk	We report to local authorities with their individual risk assessments	Evaluation of our effectiveness in managing risk
3	1.c	Those who contact us for help, and those we work with feel that we have provided them with an authoritative opinion/appropriate knowledge	We have developed and benchmarked an indicator	Measure performance (performance improves)	Measure performance (performance improves)
4	2.a	The public, members and officers have confidence in the standards framework and its proportionality	Develop a benchmark and measure levels of confidence in the framework.	Measure performance (performance improves)	Measure performance (Performance improves)
5	2.b	We are effective in dealing with authorities of concern	Success of our active engagements measured at six months (benchmark set)	Success of our active engagements measured at six months (increasingly successful)	Success of our active engagements measured at six months (increasingly successful)
6.	2.c	Annual returns from local authorities demonstrate standards committees doing work to promote high standards, contributing to improved performance	We research practice and determine a benchmark	Annual returns (improving performance)	Annual returns (improving performance)
7.	3.a	We provide effective customer services within the Standards Board to our service users	Meeting the following customer care standards: - 90% of our written enquiries answered within five working days ⁸ - 90% of our standard cases investigated within six months - 90% of all cases (standard and complex) investigated within 12 months - Complainants and those being complained about are satisfied with the way the investigation was carried out and how they were treated	Meeting agreed customer care standards	Meeting agreed customer care standards
8.	3.b	We can identify our expenditure by service area/objective	Develop and implement reporting framework, and report expenditure	Report expenditure	Report expenditure
9.	3.c	We review key areas of work to ensure we are operating in line with modern regulatory practice	Deliver Project Excellence ⁹	Scope and deliver future projects to benchmark best practice	Scope and deliver future projects to benchmark best practice

⁸ Excludes correspondence relating to an ongoing misconduct investigation.

⁹ The review of our misconduct investigations process.

Role development 2009-2012



Organisation proposals 2009

Board

- Strategy
- Scrutiny

Chief Executive

- Corporate planning and assurance
- External affairs
- HR
- Finance
- Systems

Lead objectives: 1, 2, 3

Lead projects: Organisation Design

Lead KPIs: 9

Director of Risk

Lead objectives: 1a, 1b

Lead projects: Entity Risk Management

Lead KPIs: 1, 2, 6

Outcomes:

- Effective systemic risk management
- Effective sectional risk management
- Effective entity risk management
 - Effective identification of high risk authorities
 - Active management of high risk authorities
 - Effective Interventions in individual authorities
 - Evaluation and assessment of all authorities

Functions:

- Risk assessment and relationship management
- Entity risk management development
- Interventions
- Systemic and sectional risk solutions design
- Risk solutions delivery

Director of Regulation

Lead objectives: 2a, 2b, 2c

Lead projects: Project Excellence

Lead KPIs: 4, 7, 8

Outcomes:

- Public trust in the redress mechanisms
- Timely investigations to quality standard
- Compliance monitoring effective and in line with modern regulatory standards
- Guidance, advice and support is customer focused, effective and efficient
- Authority information is kept up to date and directed
- Self-supporting standards community driving the standards agenda

Functions:

- Guidance and advice
- Monitoring and entity risk map data management
- Misconduct allegations assessment for acceptance
- Misconduct investigations
- Establishing and maintaining standards community networks

Director of Standards

Lead objectives: 1c, 3a, 3b, 3c

Lead projects: Knowledge management, Review of statutory powers, Review of the local standards framework

Lead KPIs: 3, 5, 9

Outcomes:

- Standards Board operates to best practice standards
- Standards Board engaged in and prepared for strategic developments affecting the local standards framework and its operation
- Standards Board recognised as leading expertise in ethical standards, able to influence and shape the local standards framework
- Standards Board knowledge is structured and is accessible, knowledge grows and is shared

Functions:

- Quality management
- Knowledge management
- Environment scanning
- Identifying systematic and sectoral issues
- Research to support the business
- Corporate legal advice

Funding

We undertake a variety of activities and tasks in the delivery of our broad regulatory function. These make up the Standards Board's total costs.

We believe that the cost of regulation needs to be proportionate. We will continue to look for ways in which we can deliver more for less. As a result of our move to Manchester last year, our budget has further reduced from £8.285m in 2008-09 to £7.420m in 2009-10. We expect our costs, in real terms, to remain fairly constant in 2009-12.

We can only make crude year-on-year volume assumptions at this stage in relation to one of our functions, the investigation of conduct allegations not suitable for local determination. We are able to decline allegations referred to us for investigation. We will actively manage our total investigations workload so as to ensure we strike the right balance between investigations and our other important work.

The budget allocated to achieve our objectives is set out in **Table 2**.

Assumptions made

- The administration function of the Adjudication Panel will transfer to the jurisdiction of the Tribunals Service from 1 April 2009.
- As we are currently developing our new role as a strategic regulator, we will require a change in our operating model.
- Staffing levels will remain broadly constant as we consolidate the changes to the way we work.
- The level of investigations investigated in house will remain broadly consistent at 2008-09 levels.
- There will be no significant changes to the standards framework.



Table 2: Expenditure summary

Expenditure summary (£'000)	Plan 2009-10	Plan 2010-11	Plan 2011-12
Salary, pension & on costs	3,821	3,756	3,756
Other expenditure	4,276	4,190	4,190
Revenue expenditure	8,097	7,946	7,946
Capital expenditure	178	200	200
Total expenditure (DEL)	8,275	8,146	8,146
Add: Revenue	-330	-339	-349
Less: Depreciation	-500	-410	-400
Notional cost of capital	-25	-25	-25
Grant-in-aid	7,420	7,372	7,372

The 2011-12 submission is maintained at the same values as 2010-11 figures pending the outcome of the government's next spending review.

Appendix 1: About us

The Standards Board for England is a non-departmental public body, sponsored by the department for Communities and Local Government (CLG).

We are based in central Manchester, having relocated from London in 2007.

Our Board is made up of ten members appointed by CLG. It includes four political representatives, one from each of the major political parties and an independent member. It is chaired by Dr Robert Chilton, who was appointed for a three-year term in July 2008.

Our chief executive is Glenys Stacey. She heads up a team of approximately 80 people based for the most part in our offices in Manchester.

The Standards Board for England works with:

- 351 local authorities
- 8,350 parish councils
- 31 fire and rescue authorities
- 37 police authorities
- 6 integrated transport authorities
- 8 national park authorities
- the Greater London Authority
- the City of London Corporation
- the Broads Authority
- the Council of the Isles of Scilly

You can find out more about the Standards Board for England by visiting www.standardsboard.gov.uk

Appendix 2: Key terms

Strategic regulator

A body charged with overseeing a regulatory regime, working with the regulated community to raise compliance, in accordance with the Hampton principles.*

Regulated community

The Standards Board's regulated community is made up of the members of English local authorities, the Greater London Authority and other relevant authorities (such as police and national parks authorities). It includes the members of English parish councils. There are over 80,000 people in the regulated community at any one time.

Standards community

The standards community refers to all those who work in the field of standards, conduct and values for those participating in local public life in England. This includes the members of local standards committees, monitoring officers and other local government employees working with standards committees.

Local determination

In May 2008, standards committees of local authorities became responsible for the determination of complaints that a member may have breached the Code of Conduct.

* The Hampton Review of 2005, 'Reducing administrative burdens: effective inspection and enforcement', set out some key principles that should be consistently applied throughout the regulatory system.

REPORT



REPORT OF	MEETING	DATE	ITEM NO
CORPORATE RESOURCES	STANDARDS COMMITTEE	2 SEP 09	5

COMPLAINTS TO THE STANDARDS COMMITTEE: STATISTICS

Public/Exempt item

This item is for consideration in the public part of the meeting.

Summary

There have been three complaints to the Standards Board about three borough or parish councillors since the previous meeting in May. One of these has so far been referred for investigation.

Recommendation/s

1. Note the statistical information.

Report

1. The Standards Committee (through its Assessment Sub-Committee) is responsible for initially assessing complaints and deciding whether to refer them whether to investigate them. As members know, the committee covers both Fylde Borough Council and the 15 parish councils within the borough. This report sets out a statistical breakdown of complaints since May 8, when the statistical report for the last meeting of the committee was written.
2. Since then, the committee has received three complaints about councillors in the Fylde area. Of these councillors, one is a member of the borough council only, one

is a member of a parish council only and one is a member of both the borough and a parish council¹.

3. The table below sets out the findings on the complaints:

Referred to monitoring officer for investigation: Process not yet completed	1
Referred to monitoring officer for alternative action	1
Deferred for further information	1

4. The table below shows a breakdown of the complaints referred for investigation in Fylde by nature of allegation. (The numbers do not correspond with the number referred for investigation set out in the table above because most complaints make multiple allegations.)

Bringing authority into disrepute	3
Failure to treat others with respect	2

5. The table below breaks down the complaints received at Fylde by source of allegation.

Fellow councillor	1
Other	2

IMPLICATIONS	
Finance	None
Legal	None

¹ For these purposes I do not take into account membership of a body not covered by this Standards Committee, for example the county council.

Community Safety	None
Human Rights and Equalities	None
Sustainability	None
Health & Safety and Risk Management	None

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	(01253) 658506	21 August 2009	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
None		

REPORT

REPORT OF	MEETING	DATE	ITEM NO
MONITORING OFFICER	STANDARDS COMMITTEE	2 SEP 09	6

LOCAL INVESTIGATIONS

Public Item

This item is for consideration in the public part of the meeting.

Summary

The report out the status of the eight matters that have been referred for investigation by the committee since the introduction of local filtering last year

Recommendations

1. Note the report.
2. Remind all concerned of the fundamental importance of a properly functioning standards function to overall corporate governance.

Report

1. The Standards Committee has had responsibility for local assessment of complaints about borough and parish councillors since May 2008. Since then, the Assessment Sub-Committee has referred eight complaints for investigation. Five of the investigations have now been completed to at least draft report stage and will be reported to the appropriate sub-committee shortly. Another three investigations are either under way or have not yet been started.
2. It would be inappropriate for this report or the committee to discuss any detail or outcome of the investigations before they have been considered by the appropriate sub-committee. However, the committee may wish to be aware of the stages that the various investigations have reached. These are set out in the table below.

Ref	Date complaint received	Referral for investigation	Investigation complete?	Investigator
2	18 June 2008	20 August 2008	Draft report issued	External (other LA)
5	11 August 2008	20 August 2008	Draft report issued	Monitoring Officer
6	14 August 2008	10 September 2008	14 April 2009	External (other LA)
10	4 November 2008	2 December 2008	Draft report issued	External
11	27 October 2008	2 December 2008	Draft report issued	Monitoring Officer
12	17 January 2009	16 February 2009	Ongoing	Monitoring Officer
14	11 March 2009	18 May 2009	Ongoing	External
16	12 July 2009	17 August 2009	Not commenced	To be decided

3. Cases 2 and 6 were each investigated by an officer of another authority in exchange for Fylde's monitoring officer investigating a case referred from those authorities. Commercial investigators commissioned by the monitoring officer are investigating cases 10 and 14.

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

Report Author	Tel	Date	Doc ID
Ian Curtis	(01253) 658506	24 August 2009	

List of Background Papers		
Name of document	Date	Where available for inspection
None		

Standards Committee



Date	20 May 2009
Venue	Town Hall, St Annes
Committee members	Mr DDE Birchall (Chairman) Councillors Brenda Ackers, Kevin Eastham. Harold Butler, Linda Burn, Richard Nulty.
Officers	Ian Curtis, Hazel Wood

1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Standards Committee meeting held on 2 December 2008 as a correct record for signature by the chairman.

3. Substitute members

There were no substitute members.

4. Standards board Annual Return

The committee considered the Annual return to the Standards Board for England which the Monitoring Officer had filed for Fylde Borough Council. The return was filed on-line and consisted of a number of questions about the activities of the Standards Committee within the past year. Members looked at each of the questions which gave a good indication about the areas which the Board considered standards committees should be involved in.

Following discussion the Committee RESOLVED:

1. The Monitoring Officer to arrange a Standards committee Learning Hour which would include a DVD and a Q&A refresher to train new Standards committee members. All members of the Standards committee, Borough Councillors and Parish Councillors are to be invited to attend.
2. To note the annual return.
3. The Monitoring Officer to report the annual return to the council.

5. Complaints to the Standards Committee: Statistics

Members considered the report on complaints to the Standards Committee, statistics. Ian Curtis (Monitoring Officer) explained that there had now been sixteen complaints to the Standards Board since the introduction of local filtering last May. Seven of these had been referred for investigation.

Ian explained to the committee that the biggest challenge was the investigations which could take considerably longer than 3 months to complete this was due to limited resources. Members expressed concern and suggested that the Chairman speak to the leader of the Council or portfolio holder regarding the delays.

Following discussion the Committee RESOLVED: To note the statistical information.

At the conclusion of the meeting the Chairman thanked the committee members for there attendance and continued co-operation and also thanked the Monitoring Officer for his continued support to the committee.

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