

WORK PLAN FOR 2009-10

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Summary:	Looks back on progress in 2008-9, and recommends a Work Plan for 2009-10.
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Recommendations:	1) The Committee notes progress in 2008-9; and 2) Considers a Work Plan 2009-10.
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1. INTRODUCTION

- 1.1 At the February 2009 meeting I reported on the relevant Key Lines of Enquiry for the Audit Commission's Use of Resources Assessment for both the current year together with the changes which were to take place from April 2009 for the year 2009-10.
- 1.2 Although the Standards Committee might not necessarily be bound to follow the Key Lines of Enquiry, they are unobjectionable in themselves and are a good starting point for consideration of next year's Work Plan.
- 1.3 I undertook to draft a Work Plan for consideration and this is shown at Appendix B.

2. PROGRESS IN 2008-9

- 2.1 Following an IDeA (Improvement and Development Agency) Light Touch Ethical Governance Health Check in November 2007, a generally positive report was given by them, which contained a number of useful recommendations. This Committee agreed to follow the recommendations and as a result a Work Plan was prepared for 2008-9.
- 2.2 Some items on the Work Plan were not completed due to problems in recruiting Independent Members and a relative lack of business. The items in question were the develop of a newsletter, a member and employee survey an in-house charter for recommendation to Council and a Standards Committee Annual Report. Nevertheless, I believe they would be desirable outputs to aim for and could usefully be added to the coming year's Work Plan.

3. KLOE an Internal Control for 2008-9

- 3.1 KLOE stands for Key Lines of Enquiry. For ease of reference those for 2008-9 are shown at Appendix A.

- 3.2 For Level 2, the Council has complied with the first, second, third and fifth bullet points. For the fourth bullet point, whilst I regularly check the Register of Interests and Register of Gifts and Hospitality, I do not make formal reports to this Committee. I would suggest it may be worthwhile to have a standard item on the Agenda for consideration quarterly.
- 3.3 The complaints procedure was reviewed several years ago by the Standards Committee but has not subsequently been reviewed. (A report is, however, considered quarterly by the OS Management Committee but this relates to minutes and types of complaints rather than the procedure itself). It is therefore recommended that the complaints procedure itself is reviewed during 2009-10.
- 3.4 The criteria shown for Level 3 show that Councils would need to demonstrate a level of pro-activity on Ethical Governance issues. This is an aspect of the KLOE which the Council will need to demonstrate for 2009-10 in order to achieve Level 3 or above.

4. KLOE FOR 2009-10

- 4.1 We have been advised that from April 2009 the KLOE focus will be on whether the Council:-
- has adopted, promotes and demonstrates the principles of good governance;
 - maintains focus on its purpose and vision;
 - demonstrates a strong ethical framework and culture; and
 - applies the principles and values of good governance to its partnership working.
- 4.2 As with previous years there would be four gradings:- 1. Not Adequate; 2. Adequate; 3. Performing Well; and 4. Performing Strongly.
- 4.3 Good Governance has been defined by CIPFA (Chartered Institute of Public Finance Accountants) as:-
- (i) Focussing on the purpose of the authority and on outcomes for the community including citizens and service users and creating and implementing a vision for the local area;
 - (ii) Members and officers working together to achieve a common purpose with clearly defined roles and functions;
 - (iii) Promoting the values of the authority and demonstrating the values of good governance through behaviour;
 - (iv) Taking informed and transparent decisions which are subject to effective scrutiny and managing use;
 - (v) Developing the capacity and capability of members to be effective at ensuring that officers – including the statutory officers - also have the capability and capacity to deliver effectively;

- (vi) Engaging with local people and other stakeholders to ensure local public accountability.

4.4 The IDeA Ethical Governance Toolkit concentrates on the following six criteria for elected members:-

- 1) Community Leadership – engages enthusiastically and empathetically with the community in order to learn, understand and act upon issues of local concern. Mediates family and constructively, encourage trust by representing all section of the community;
- 2) Regulating and Monitoring – understands and executes judicial role by following protocol, evaluating arguments and making decisions that balance public needs, and local policy. Ensures progress by monitoring and interviewing where necessary;
- 3) Scrutiny and Challenge – Acts as a critical friend by seeking opportunities for scrutiny and providing constructive feedback. Analyses information quickly and presents arguments in a concise, meaningful and easily accessible way;
- 4) Communication skills – listens sensitively, uses appropriate language and checks for understanding. Communicates regularly with individuals and groups in the community, speaks clearly and confidently in public and makes sure that people are informed;
- 5) Working in Partnership – builds positive relationships by making others feel valued, trusted and included and by working collaboratively to achieve goals. Maintains calm and focus, recognises when to delegate or provide support and is able to take a long-term view in developing relationships;
- 6) Political Understanding – acts ethically, consistently and with integrity when communicating values or representing group views in decisions and actions. Works across group boundaries without compromising values on ethics;

5. CONTENTS OF WORK PLAN 2009-10

- 5.1 Notwithstanding the wide description of the KLOE focus for the coming year, I would recommend that the Committee does continue to monitor the first 5 bullet points shown in Level 2 for this year. Not all aspects are appropriate for consideration quarterly, however. For example, the Complaints Procedure could be reviewed yearly, together with the Council's Whistleblowing Policy.
- 5.2 The Committee does have responsibilities for Parish Councils and it is recommended that regular training sessions be offered for Parish Councillors as well as for Borough Councillors.
- 5.3 In order to keep in touch with major developments in the Council it is recommended that the Chairman continues to meet with the Chief Executive and Leader quarterly and reports back to the Committee.

- 5.4 I would recommend that a survey be carried out of members and officers of ethical standards in the Copeland Borough Council in order to construct a gap analysis and in order then to be able to develop an action plan.
- 5.5 I would anticipate a workshop might also take place to help this process and that one of the actions arising from the workshop and survey would be the development of a Charter for the Council.
- 5.6 Finally, I would anticipate that a further outcome from a survey and workshop would be the development of principles and values which it would expect from its partners.
- 5.7 The draft Work Plan is shown at Appendix B. The draft is derived from various information including the IDeA report and I am not aware of any definitive guidance as to what Standards Committee's Work Plan should comprise. Members are asked to consider the draft Work Plan for the coming year.

List of Appendices

Appendix A: KLOE criteria 2008-9;

Appendix B: Draft Work Plan 2009/10.

List of Background Documents: None – all documents referred to are already public documents.

List of Consultees: Chief Executive, Head of Finance and Management Information Systems, Head of Policy and Performance, Dr. S. Bradley, Democratic Services Manager.

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INTERNAL CONTROL How well does the council's internal control environment enable it to manage its significant business risks?		
Key line of enquiry 4.3 The council has arrangements in place that are designed to promote and ensure probity and propriety in the conduct of its business		
Audit Focus		
Evidence that: <ul style="list-style-type: none"> the council has adopted codes of conduct and monitors compliance the council's arrangements to prevent and detect fraud and corruption are effective 		
Criteria for Judgement		
Level 2	Level 3	Level 4
<p>* The council has formally adopted a code of conduct for members that includes the mandatory provisions of the statutory Model Code of Conduct.</p> <p>* All elected and co-opted members have signed up to the code of conduct.</p> <p>* The council has adopted a code of conduct for staff.</p> <p>* The council has put in place arrangements for monitoring compliance with standards of conduct across the council including:</p> <ul style="list-style-type: none"> register of interests register of gifts and hospitality complaints procedure. <p>* The standards committee's membership and functions are in accordance with the requirements of the Local Government Act 2000.</p> <p>* There is a counter fraud and corruption policy applying to all aspects of the council's business which has been communicated</p>	<p>* The council is proactive in raising the standards of ethical conduct among members and staff, including the provision of ethics training. (now bold)</p> <p>* The council has undertaken an assessment of standards of conduct, including how effectively members are complying with the code of conduct, the number and types of complaints received, and takes action as appropriate.</p> <p>* Members and staff are aware of the need to make appropriate disclosures of gifts, hospitality and pecuniary interests. There is evidence that members and staff are making appropriate disclosures in the registers and that they are regularly reviewed.</p> <p>* A strong counter fraud culture is supported and promoted by members and senior officers.</p> <p>* The council undertakes proactive counter fraud and corruption work which is determined by a formal risk assessment.</p>	<p>The council can demonstrate that its members and staff exhibit high standards of personal conduct.</p> <p>The council can demonstrate a strong counter fraud culture across all departments. Staff have clearly acknowledged and accepted their responsibility to prevent and detect fraud and corruption.</p> <p>The risk of fraud and corruption is specifically considered in the council's overall risk management process.</p> <p>The use of publicity in successful cases of proven fraud/corruption is routinely considered to raise awareness.</p> <p>The council has a track record for effective action in response to whistleblowing disclosures. There are periodic reviews of the effectiveness of the whistleblowing arrangements, and there are effective arrangements for receiving and acting upon disclosures from members of the public.</p> <p>The council can demonstrate that effective action has been taken to maximise the potential savings</p>

<p>throughout the council.</p> <ul style="list-style-type: none"> * The council has arrangements in place to receive and investigate allegations of breaches of proper standards of financial conduct, and of fraud and corruption. * There is a whistleblowing policy which has been communicated to staff and those parties contracting with the council. * The council has provided the required data for the National Fraud Initiative (NFI), has notified data subjects of this use of data, and has established a process to follow-up NFI data matches. 	<ul style="list-style-type: none"> * The council can demonstrate that counter fraud and corruption work is adequately resourced. (now bold) * Investigations into allegations of fraud and corruption are conducted in accordance with statutory requirements, eg, Police and Criminal Evidence Act, Regulation of Investigatory Powers Act, Data Protection Act, by appropriately trained staff. * The whistleblowing policy is publicised within the council and demonstrates the council's commitment to providing support to whistleblowers. <p>The council has effectively identified the key NFI data matches for review from all levels of reports (high, medium and low).</p> <p>The council works with other bodies such as DWP when following-up data matches from NFI. Risks are followed-up promptly to prevent prolonged exposure.</p> <p>Weaknesses revealed by instances of proven fraud and corruption, including NFI data matches, are reviewed to ensure that appropriate action is taken to strengthen internal control arrangements.</p>	<p>available through NFI.</p>
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STANDARDS COMMITTEE WORK PLAN 2009/10

DATE	EVENT	SUBJECT	BY	COST
April 2009	Report	Draft report on terms of survey for Members and Officers	MJ/TC	
April 2009/July 2009/October 2009/Jan 2010	Meeting	Continue quarterly meetings between Chairman, Leader and Chief Executive	TC/LT/CL	
May 2009	Report	Review of Complaints Procedure	TC/ M Joyce/AW	
June 2009	Survey	Undertake survey of Members and Officers	TC/IC	
July 2009/Oct 2009/Jan 2010	Report	Review progress against first five bullet points of KLOE focus for Level 2 for 2008/9	MJ/TC	

July	Workshop	Workshop on furthering ethical governance standards internally	MJ/TC/IDeA	
July	Training	Officer training to Parish Councils on Code of Conduct	MJ/TC	
August	Article	Draft article on work of Standards Committee for Copeland Matters	MJ/TC/IC	
September	Report	Report back on survey and workshop. Develop draft Action Plan	MJ/TC	
October	Training	Training on Code of Conduct offered to Borough Councillors	MJ/TC	
October	Newsletter	Develop and publish first quarterly Standards Committee newsletter including news of Action Plan	MJ/TC/IC	
November 2009	Charter	Develop in-house Charter and consultation	MJ/TC	

December 2009	Charter	Standards Committee and Council adopt Charter	MJ/TC	
December 2009	Review	Review Whistleblowing Procedure	MJ/TC	
January 2010	Review	Review of progress against KLOE focus for 2009-10. Remedial action is to be identified and carried out	MJ/TC	
February 2010	Report	Recommendations on principles and values expected from partners	MJ/TC	
February 2010	Review	Consider draft Work Plan for 2010/11	MJ/TC	
March 2010	Report	Standards Committee Annual Report to Council	MJ/TC	