

TRAFFORD COUNCIL

Report to: Standards Committee
Date: 5 November 2014
Report for: Discussion
Report of: Director of Legal and Democratic Services

Report Title

Committee for Standards in Public Life – Publications

Summary

The Committee for Standards in Public Life have published two documents in recent months

- **Ethics in Practice: Promoting Ethical Conduct in Public Life**
- **Annual Report**

The reports are for information and review to assess whether there are improvements that might be put in place in Trafford.

Copies of the documents are appended to the report.

Recommendation(s)

That the Committee consider the key issues identified in the reports and identify any changes in current practice that might be necessary.

Contact person for access to background papers and further information:

Name: Peter Forrester

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Background Papers

None

Background Information

Relationship to Corporate Priorities	The report refers to governance arrangements which impact on all areas of the Council's work.
Financial	None
Legal Implications	The Council has a duty to ensure that it meets the legislative requirements set out in the Localism Act 2011 relating to standards.

Equality/Diversity Implications	None
Sustainability Implications	None
Resource implications - Staffing/ICT/Asset Management	None
Risk Management Implications	None
Health and Safety Implications	None

1.0 Ethics in Practice: Promoting Ethical Conduct in Public Life

1. The report looks at the role of induction processes in embedding ethical standards in public life. The Committee has reviewed the extent to which the Seven Principles of Public Life, and the codes of conduct which they have generated, are recognised and understood by those to whom they apply. They have looked at a range of induction processes, and subsequent methods to enhance ethical awareness, understanding and capability, in order to establish what works, and where there is room for improvement.
2. The Committee believe that every organisation should take the lead in designing and delivering an induction programme that responds to the challenges and circumstances of their particular area of public life. As a basic minimum, the Committee would expect to see induction cover the relevant code of conduct and the principles on which it is based, with an explanation of any compliance requirements that derive from that code, and reference to the channels for raising and dealing with ethical issues. Ideally, an induction process would relate the code and its principles to the particular role and responsibilities of the individual, demonstrating their practical as well as theoretical relevance, and involve active rather than passive learning. We would also expect attendance at induction to be, if not compulsory, the norm rather than the exception.
3. The Committee surveyed Local Authority Monitoring Officers and elected representatives in England, seeking information on the content, reception and perceived effect of induction for elected members, focusing particularly on the standards element of induction.
 - 90% of those who responded to our survey stated that their Local Authority provided an induction programme for newly elected councillors.
 - When asked if that programme had a session looking at standards in public life, councillor conduct or ethical behaviour:
 - 68% of respondents said induction covered the Seven Principles of Public Life
 - 88% said induction covered the Council's Code of Conduct
 - 73% said induction covered conflicts of interest and expenses
 - 55% said induction covered a range of ethical, conduct and standards issues
 - 88% said that the standards element of their induction looked at both rules and principles

- over 80% of those who responded said that the standards, conduct or ethical behaviour component of the induction programme was delivered by council staff
 - Only 5% said their council's induction programme did not look at standards in public life, councillor conduct or ethical behaviour.
 - 83% of those who responded felt that councillors at their Local Authority were familiar or fairly familiar with the Seven Principles of Public Life.
 - Learning techniques during induction included: presentations, briefings, case studies, and members talking through real life situations.
4. The report states that there is continuing room for improvement in the profile of standards, conduct and ethical behaviour within Local Authority induction programmes. The Committee is concerned that financial constraints may result in less emphasis being placed on induction in future and that changes to the Local Authority standards regime may result in ethical standards becoming less of a priority and less actively monitored. The Committee will therefore continue to monitor provision of Local Authority induction programmes and the profile of standards, conduct and ethical behaviour within those programmes by repeating its snapshot survey in 2015.
5. New Members in Trafford are offered an induction programme which covers the Standards regime and in 2012, we offered briefings for all Members on Standards issues and about two thirds of Members attended these sessions. The suggested actions for 2015 are:
- The induction programme for 2015 will be reviewed in light of the report and the good practice highlighted in the report
 - Refresher training will be provided for all Members.

2.0 Annual Report

6. The Annual report provides an overview of the Committee's activities over the course of the past financial year and beyond until July 2014. The Committee has continued this year to maintain a watching brief of the standards regimes in local government and the changes resulting from The Localism Act 2011 implemented in 2012. Having emphasised at the time the need for a mandatory code of conduct, strong local leadership, and effective independent persons and expressed concern at the lack of sanctions, the Committee also recognised the need to allow new arrangements to bed down. The key points in the report are summarised as:
- A survey carried out by Local Government Lawyer on the implementation of the Localism Act 2011 suggests indications are that the role of the independent person has been generally well received and there is some evidence that the number of vexatious complaints is falling.
 - The effectiveness of the sanctions regime for non-adherence to Local Authority codes of conduct, which apart from criminal prosecution, provides

only for censure or suspension from a particular committee or committees, remains an issue of concern.

- The Local Government Association should provide support strong leadership and use its peer challenge process to offer sector led improvement to ensure that all councils and councillors live up to the public's expectations of high standards of ethical behaviour in those whom they elect.
- The Committee was extremely pleased to learn that 90% of those who responded to the survey stated that their Local Authority provided an induction programme for newly elected councillors. The Committee will therefore continue to monitor provision of Local Authority induction programmes and the profile of standards, conduct and ethical behaviour within those programmes by repeating this survey in 2015.
- The Committee have provided evidence to the Communities and Local Government Select Committee inquiry on local government procurement, highlighting their belief that public sector procurement processes should take account of ethical issues as part of delivering value for money in the broadest sense.
- The Committee welcomes the introduction this year of individual electoral registration (IER) and will keep a watching brief on electoral fraud and the implementation of IER.