



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Sheila Bennett  
[sheila.bennett@bromley.gov.uk](mailto:sheila.bennett@bromley.gov.uk)

DIRECT LINE: 020 8313 4484

FAX: 020 8290 0608

DATE: 26 May 2011

To: Members of the  
**STANDARDS COMMITTEE**

Councillor Reg Adams, Mr Richard Allen, Dr Simon Davey, Councillor Peter Dean, Councillor Peter Fookes, Mr Nicholas Marcar, Councillor Alexa Michael, Councillor Gordon Norrie and Mr Jonathan Prince

A meeting of the Standards Committee will be held at Bromley Civic Centre on  
**WEDNESDAY 8 JUNE 2011 AT 7.00 PM**

MARK BOWEN  
Director of Resources

## A G E N D A

### 1 ELECTION OF CHAIRMAN

The Committee is invited to elect its Chairman for the 2011/12 Municipal Year.

The Chairman must be one of the independent members.

### 2 APOLOGIES FOR ABSENCE

### 3 DECLARATIONS OF INTEREST

### 4 MINUTES OF THE MEETING HELD ON 19TH JANUARY 2011 AND MATTERS ARISING (Pages 3 - 12)

### 5 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

To hear questions to the Committee received in writing by the Democratic Services Team by 5pm on Thursday 2nd June 2011 and to respond.

### 6 DISPENSATIONS

To consider any requests received for dispensations from Members of the Authority.

### 7 REFERENCE FROM AUDIT SUB-COMMITTEE: ANTI-FRAUD GOVERNANCE CHECKLIST (Pages 13 - 16)

### 8 MONITORING OFFICER'S GENERAL REPORT (Pages 17 - 20)

**9 ETHICAL INDICATORS** (Pages 21 - 24)

**10 STANDARDS COMMITTEE WORK PROGRAMME** (Pages 25 - 26)

**11 LOCAL GOVERNMENT ACT 1972 AS SUBSEQUENTLY AMENDED**

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of confidential information.

**Items of Business**

**Schedule 12A Description**

**12 COMPLAINTS (IF ANY)**

## STANDARDS COMMITTEE

Minutes of the meeting held at 7.00 pm on 19 January 2011

### Present:

Dr Simon Davey (Chairman)  
Mr Jonathan Prince (Vice-Chairman)  
Mr Richard Allen, Councillor Peter Dean, Councillor Peter Fookes, Mr Nicholas Marcar, Councillor Alexa Michael and Councillor Stephen Wells

### Also Present:

Councillor Stephen Carr and Councillor Michael Tickner

### 13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Tom Papworth.

### 14 DECLARATIONS OF INTEREST

There were none.

### 15 MINUTES OF THE MEETING HELD ON 7TH JUNE 2010 AND MATTERS ARISING

The Committee agreed that work on a communications plan should be deferred until the position was clearer about any changes that would result from forthcoming legislation; they also agreed that any further consideration of how gifts and hospitality issues might be explored should be undertaken in the light of future changes to the regime around member declaration of interests.

The Committee considered the Code of Corporate Governance elsewhere on this agenda, which provided a clear ethical governance framework, so the Committee agreed that this piece of work should be regarded as completed. They also noted that the Council had joint working protocols on Standards in place with Bexley and some other Kent authorities, and agreed that no further work would be beneficial until the picture was clearer on the future Standards regime and requirements.

**RESOLVED that the Minutes of 7<sup>th</sup> June 2010 be agreed as a correct record.**

### 16 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were none.

## **17           DISPENSATIONS**

No requests had been received.

## **18           THE LOCALISM BILL**

Mark Bowen, Monitoring Officer, gave a short presentation to the Committee, outlining a number of the implications within the Localism Bill for the future of the Standards regime. It was agreed that the slides used would be circulated to members of the Committee who were not present throughout.

This included proposals to abolish the national Code of Conduct, Standards for England and the requirement for councils to have a Standards Committee; and changes to legislation relating to member declarations of interest and to decision-making principles such as pre-determination and bias.

The Chief Executive and Leader of the Council were present for the subsequent discussion.

There was a consensus amongst members of the Committee that it was important for the Council to self-regulate councillor behaviour when they were acting in an official capacity, although there was some concern about whether weaker local sanctions would have real impact should anyone persist in unacceptable behaviour or attitudes. This was an issue that the Committee felt needed to be kept under close scrutiny as the legislation proceeded through Parliament, and that they felt would need to be discussed locally between the different Party group leaders.

There was also agreement by the Committee that it was desirable to retain some form of lead body on ethical issues, to reassure local residents that the Council remains committed to open, transparent and fair decision-making processes, which are kept under appropriate scrutiny and review. However, there was concern about finding ways, in whatever options were considered locally once the legislative requirements were clear and finalised, of enabling independents to play a full and meaningful role in any future arrangements, both in terms of hearing complaints and also contributing to more general ethical governance discussions.

The Leader undertook to discuss approaches to future standards arrangements with the other political party leaders. Given the current uncertainties on a variety of issues around standards arrangements because of the early stage of legislative process, it was felt that no further proposals could be brought forward at this stage; but that by the early summer it would be useful to consider emerging options for future structures and roles.

**RESOLVED that a report be put to the June 2011 meeting of the Standards Committee outlining different options for future ethical governance arrangements and roles.**

## 19 CODE OF CORPORATE GOVERNANCE

The Committee welcomed Mark Gibson, Assistant Director (Audit and Technical), who was attending to discuss the Code of Corporate Governance.

This report had already been considered by Audit Sub-Committee, whose comments had been incorporated into the version circulated to this Committee. The Code had been developed from that endorsed by this Committee in the previous year by the addition of further requirements relating to the role of the Chief Financial Officer, in line with guidance from the Chartered Institute of Public Finance (CIPFA). Mr Gibson also explained that for the future the role of his audit team would be incorporating not only core fraud, systems and probity work but, increasingly, reviewing broader efficiency and value for money arrangements connected with selected audited areas.

Internal Audit has undertaken work to check that all the processes listed in the Code were in place and working correctly; and the latest Use of Resources audit (undertaken externally by PwC) expressed the view that this was an area of strong performance, including references to the positive impact of Standards Committee work. However, it was emphasised that this area would no longer be mandatory in future audit requirements.

The Committee expressed their view that this was a very helpful document, and felt that the Appendix, summarising the relationship between core principles of governance and supporting policies and processes, especially useful.

Specific questions and issues were discussed concerning the extent to which Audit Commission recommendations and good practice checklists on fraud were being incorporated into Bromley's local anti-fraud and corruption work; ways in which due diligence work on partnership working was undertaken and incorporated or highlighted within risk management processes and guidance; the use of independent hotlines to cover fraud (and their potential to enhance whistle-blowing processes); and the role of scrutiny committees in ensuring that the aspirations of the Code are realised in practice at a service delivery level.

Some suggestions were made on minor wording changes and it was agreed that Mark Gibson would speak to the councillors who had made these outside the meeting to finalise the text prior to submission to Council.

**RESOLVED that, subject to the minor changes mentioned above, the Committee endorse the revised Code of Governance for adoption by the Council**

## 20 MONITORING OFFICER'S GENERAL REPORT

The Committee received a report which updated them on the likely timetable of the Localism Bill's progress into legislation, and the status of the current

Standards regime until that point; and on the resignation of Mr George Kidd, an independent member of the Committee.

**RESOLVED that**

- (1) the recent publication of the Localism Bill be noted;**
- (2) the fact that the current Standards regime remains in being until further legislation is passed be noted; and**
- (3) the resignation of Mr George Kidd from the Committee be noted; and**
- (4) the Monitoring Officer be requested to pass on the Committee's thanks to Mr Kidd for his interest in, and contribution to, its work during his tenure**

**21 RAISING CONCERNS - ANNUAL REPORT**

The Committee received a report on the operation of the Council's whistle-blowing procedure ('Raising Concerns') between October 2009 to September 2010.

The procedure is promoted both in hard copy posters and via the Council intranet internally; through all Council contractors; and to the public via the Council's website. Three issues had been raised through this channel, all of which related to schools employment matters, and whilst not matters that fell for action under this scheme they were considered and dealt with speedily and appropriately.

**RESOLVED that the information contained in the report be noted.**

**22 ETHICAL INDICATORS**

The Committee received a report on a selection of ethical indicators, as at 31<sup>st</sup> December 2010.

**RESOLVED that the information provided in the report be noted.**

**23 STANDARDS COMMITTEE WORK PROGRAMME**

The Committee considered its current Work Programme, which had been subject to considerable change because of meeting postponements caused by delays to the publication of the Localism Bill, and a number of items being held back pending further consideration of the likely future work and role of this Committee in the light of forthcoming legislation..

**RESOLVED that**

- (1) a final meeting for this year be arranged for March 2011, to cover the Annual Report and staff survey feedback; and**

**(2) for the 2011/12 year meetings be arranged for June 2011 (with the aim of focussing on options for future local Standards arrangements) and December 2011**

**24 LOCAL GOVERNMENT ACT 1972 AS SUBSEQUENTLY AMENDED**

**25 COMPLAINTS (if any)**

A filtering hearing, covering 2 complaints relating to 3 councillors, had taken place earlier in the evening.

The Meeting ended at 9.10 pm

Chairman

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## PART 1 - PUBLIC

**Decision Maker:** Standards Committee**Date:** 7 JUNE 2011**Decision Type:** Non-Urgent Non-Executive Non-Key**Title:** MATTERS ARISING FROM PREVIOUS MEETINGS**Contact Officer:** Sheila Bennett, Assistant Director, Democratic and Customer Services  
Tel: 020 8313 4484 E-mail: sheila.bennett@bromley.gov.uk**Chief Officer:** Mark Bowen, Director of Legal, Democratic and Customer Services**Ward:** N/A1. Reason for report

- 1.1 **Appendix 1** updates Members on matters arising from previous meetings. 5 “live” matters are listed, the oldest of which dates from March 2010; a number of items have been deferred pending a clearer picture of the implications of the Localism Bill on the standards regime in Bromley.

2. **RECOMMENDATION(S)**

- 2.1 **The Committee is invited to consider progress on recommendations made at previous meetings.**

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	N/A

### Corporate Policy

1. Policy Status: Existing policy. The Committee receives an update on matters arising from previous meetings at each meeting.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: n/a
  4. Total current budget for this head: £There is not a budget for the work of the Standards Committee. Any costs need to be met from virements from other Budget Heads.
  5. Source of funding: Existing budgets
- 

### Staff

1. Number of staff (current and additional): The Director of Legal, Democratic & Customer Services is designated the Council's Monitoring Officer. The Assistant Director, Democratic and Customer Services, supports the Standards Committee. )
  2. If from existing staff resources, number of staff hours: Monitoring the Committee's matters arising takes up to an hour per meeting
- 

### Legal

1. Legal Requirement: No statutory requirement or Government guidance. The Standards Committee and standards system are requirements of the Local Government Act 2000, as amended by subsequent legislation, most recently by the Local Government & Public Involvement in Health Act 2007, but there is no statutory requirement for this particular report.
  2. Call-in: Call-in is not applicable. The report does not involve an executive decision.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of Committee Members.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

<b><u>Minute Number/Title</u></b>	<b><u>Committee Request</u></b>	<b><u>Update</u></b>	<b><u>Action by</u></b>	<b><u>Completion Date</u></b>
<b><u>2009/10</u></b>				
17. December 2009 - Discussion with Chief Planner	Chief Planner to attend a future meeting to update on outcome of suggestions made	Deferred from March to June meeting	Bob McQuillan	7/6/2010 - completed
38. March 2010 - Minutes and Matters arising	Future agendas to have a matters arising report as a standard item	Implemented June 2010 onwards	Sheila Bennett	7/6/2010 - completed
	Report to November 2010 meeting on ethical standards framework, with committee members providing good practice examples for consideration	Deferred pending further consideration of proposed legislation affecting the Standards regime (Localism Bill, published mid-December 2010)	Mark Bowen/Sheila Bennett	Tba
41 – March 2010 – Discussion with Liberal Democrat Group Leader	Member Officer protocol promotion to be considered as part of next communications plan revision	Communication plan work deferred pending further consideration of proposed legislation affecting the Standards regime	Sheila Bennett	Tba
42 – Assistant Chief Executive – Human Resources	ACE (HR) to present staff survey findings to a future meeting of the Committee	Outcomes of staff working group on action planning yet to be produced.  Informal meeting held with Chairman and other independent members, feedback included in Monitoring Officers's General Report elsewhere on this agenda	Charles Obazuaye	March 2011 - completed
43 – Monitoring Officer's General Report	MO to investigate feasibility of closer joint	Further information awaited	Mark Bowen	Tba

	<p>working with other authorities</p> <p>MO and Chairman to pursue changes to future make-up of independent member appointment Panels, to allow greater independent member participation</p>	<p>Further information awaited, but future make-up of the Committee dependent on proposed legislation affecting the Standards regime</p>	<p>Mark Bowen/Simon Davey</p>	<p>Tba</p>
<p>9 – Labour Party Leader</p>	<p>Further consideration of issues around gifts and hospitality to be explored</p>	<p>To be discussed when Committee looks at Bribery Act implications for local government – item to be programmed</p>	<p>Mark Bowen/Mark Gibson</p>	<p>Tba</p>

# Agenda Item 7

Report No.  
RES11019

London Borough of Bromley

PART 1 - PUBLIC

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**Decision Maker:**      **Standards Committee**

**Date:**                      **8<sup>th</sup> June 2011**

**Decision Type:**      Non-Urgent                      Non-Executive                      Non-Key

**Title:**                      **REFERENCE FROM AUDIT SUB-COMMITTEE -  
ANTI-FRAUD GOVERNANCE CHECKLIST**

**Contact Officer:**      Graham Walton, Democratic Services Manager  
Tel: 020 8461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:**              Mark Bowen, Director of Resources

**Ward:**                      N/A

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1.    Reason for report

1.1 At its meeting on 19<sup>th</sup> January 2011, the Committee considered the Council's Code of Corporate Governance. During the discussion, the issue of use of Audit Commission anti-fraud checklists was raised. Following this, the Audit Sub-Committee on 16<sup>th</sup> March 2011 considered the fourteen general compliance questions set out in the checklist contained in the Audit Commission's publication "Protecting the public purse 2010" and was informed that all the questions were met in Bromley.

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2.    **RECOMMENDATION(S)**

**The Committee is requested to note the consideration by Audit Sub-Committee of the anti-fraud governance checklist.**

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Internal Audit
  4. Total current budget for this head: £804,960 (2010/11)
  5. Source of funding: Recharges, Admin subsidy, Admin penalties, Legal cost recoveries, Dedicated school grant
- 

### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory requirement. There is a statutory requirement to investigate losses through fraud and corruption - Fraud Act 2006, Social Security and Administration Act 1992, Accounts and Audit Regulations 2006.
  2. Call-in: Call-in is not applicable. This report does not involve an executive decision
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 At the meeting on 19<sup>th</sup> January 2011, this Committee endorsed, with some minor comments, the Council's Code of Corporate Governance. During the Committee's discussion, the Assistant Director (Fraud and Technical) was asked to what extent the Audit Commission's good practice checklist was incorporated into Bromley's local anti-fraud and corruption work.
- 3.2 Following this, as part of its regular Part 2 update from Internal Audit on fraud investigations at its meeting on 16<sup>th</sup> March 2011, the Audit Sub-Committee was informed about the Audit Commission's publication, "Protecting the public purse 2010". Included in this document is a checklist for those responsible for governance. There are 14 general compliance questions that should be asked to ascertain if we have sound anti-fraud governance arrangements (see [appendix 1](#)). These include having a zero tolerance towards fraud; an anti fraud policy and plan; adequacy of counter fraud staff; regular reports on fraud risks plans and outcomes; management of anti fraud resources against good practice; raising fraud awareness with all staff, contractors and members; liaising with national and local networks; working with other organisations to share knowledge and data; identifying internal control weaknesses; participation in the NFI data matching; encourage staff to raise concerns about money laundering; having effective whistle blowing arrangements; and having effective fidelity insurance arrangements. The checklist also covers other key areas of risk including procurement, personal budgets, council tax and housing and council tax benefits, which are also being addressed through audits planned in 2011/12 and proactive exercises requested by the Audit Sub-Committee.
- 3.3 The Audit Commission recommended that Councils used the checklist to assess whether their counter fraud plans were effective in the light of the risks highlighted. The Audit Sub-Committee was informed that these issues were covered by both the 2010/11 Audit Plan and planned coverage for 2011/12, and that Bromley was able to meet all of the items in the checklist. The Sub-Committee decided to refer the checklist back to this Committee. Progress on these initiatives will be reported to Audit Sub-Committee in the Anti-Fraud and Corruption Annual Report in September 2011.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	"Protecting the public purse 2010" (Audit Commission)

**Anti-fraud Checklist for those responsible for governance**

<b>General</b>	<b>Ye</b>	<b>No</b>
1. Do we have a zero-tolerance policy towards fraud?	✓	
2. Do we have an appropriate approach, counter-fraud strategies, policies and plans?	✓	
3. Do we have dedicated counter-fraud resources?	✓	
4. Do the resources cover all activities of our organisation?	✓	
5. Do we receive regular reports on fraud risks, plans and outcomes?	✓	
6. Have we assessed our management of counter-fraud resources against good practice?	✓	
7. Do we raise awareness of fraud risks with: <ul style="list-style-type: none"> <li>• New staff (including agency staff)</li> <li>• Existing staff</li> <li>• Elected members; and</li> <li>• Our contractors?</li> </ul>	✓	
8. Do we work appropriately with national, regional and local networks and partnerships to ensure we know about current fraud risks and issues?	✓	
9. Have we agreed to work with relevant organisations to ensure effective sharing of knowledge and data about fraud?	✓	
10. Do we identify areas where our internal controls may not be performing as well as intended?	✓	
11. Do we maximise the benefit of our participation in the Audit Commission NFI and receive reports from it on outcomes?	✓	
12. Do we have arrangements in place that encourage our staff to raise their concerns about money laundering?	✓	
13. Do we have effective whistle-blowing arrangements?	✓	
14. Do we have effective fidelity insurance arrangements?	✓	

Report No.

London Borough of Bromley

Agenda  
Item No.

**PART 1 - PUBLIC**

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**Decision Maker:**      **Standards Committee**

**Date:**                      **8 June 2011**

**Decision Type:**      Non-Urgent                      Non-Executive                      Non-Key

**Title:**                      **MONITORING OFFICER'S GENERAL REPORT**

**Contact Officer:**      Sheila Bennett, Asst Director, Democratic and Customer Services  
Tel: 020 8313 4484    E-mail: sheila.bennett@bromley.gov.uk

**Chief Officer:**              Mark Bowen, Director of Legal, Democratic and Customer Services

**Ward:**                      Borough-wide

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1.    Reason for report

1.    To update the Committee on the progress of the Localism Bill, and discussions held with the Assistant Chief Executive (Human Resources) on the outcomes of a staff survey.
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**2.    RECOMMENDATIONS**

**That the Committee notes**

- 2.1.    the current status of the Localism Bill, and an invitation to attend the Executive and Resources Policy Development and Scrutiny Committee on 15 June 2011; and**
- 2.2.    the current position regarding follow-up on the last staff survey.**

### Corporate Policy

1. Policy Status: Existing policy. The Standards Committee is responsible for Member conduct and ethical governance in Bromley
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: There is not a budget for the work of the Standards Committee. Any costs need to be met from virements from other Budget Heads.
  4. Total current budget for this head: £0.
  5. Source of funding: n/a
- 

### Staff

1. Number of staff (current and additional): The Director of Legal, Democratic & Customer Services is designated the Council's Monitoring Officer. The Assistant Director, Legal & Support Services provides support as Deputy Monitoring Officer, with the Assistant Director, Democratic and Customer Services, supporting the Standards Committee.
  2. If from existing staff resources, number of staff hours: Varies, depending on issues arising
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### Legal

1. Legal Requirement: Statutory requirement. The Standards Committee and standards system are requirements of the Local Government Act 2000, as amended by subsequent legislation, most recently by the Local Government & Public Involvement in Health Act 2007.
  2. Call-in: Call-in is not applicable.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The standards system has the potential to impact on any person who has contact with a Member of Bromley Council where that person considers the Member has breached the Code of Conduct.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

#### Localism Bill

3.1. The Localism Bill has now received gone through the Report Stage and Third Reading in the Commons and has been passed on to the Lords for further consideration. The first Reading there took place on 19<sup>th</sup> May with the Second Reading scheduled for 7<sup>th</sup> June.

The Bill proposes abolition of the current standards regime and model code of conduct, but introducing local accountability for councillor conduct and a criminal offence of deliberate failure to declare a personal interest in a matter

. It also covers a wider range of issues relating to Council decision-making and structures, including:

- giving councils a general power of competence
- allowing councils to choose to return to the committee system of governance and allowing for referendums for elected mayors in certain authorities
- giving residents the power to instigate local referendums on any local issue and the power to veto excessive council tax increases
- allowing councils more discretion over business rate relief
- providing new powers to help save local facilities and services threatened with closure, and giving voluntary and community groups the right to challenge local authorities over their services.

Other key areas include proposed changes to both housing and planning and regeneration planning and processes.

3.2. Until any further legislation is passed, the current standards regime will remain in being, with the Standards Committee continuing in its role of local filtering and hearing of complaints against councillors relating to alleged breaches of the Member Code of Conduct.

3.3. Pending more clarity and consideration of the future work and role of this Standards Committee in the context of these changes, a number of items which were on the Committee's Work Programme have been held back.

3.4. On 15<sup>th</sup> June Bob Neill, MP for Bromley and Chislehurst and Parliamentary Under-Secretary of State at the Department of Communities and Local Government is scheduled to attend a meeting of the Council's Executive and Resources Policy Development and Scrutiny Committee to discuss, amongst other things, the Localism Bill. All members of Standards Committee will be invited to attend.

#### Staff survey

3.5. The Chairman, accompanied by the Vice-Chairman and Mr Richard Allen, had an informal meeting with the Assistant Chief Executive (Human Resources) on 28<sup>th</sup> March 2011, to follow up on the Committee's interest in staff survey findings relating to issues such as perceived fairness and consistency in people management, which had been covered in previous ethical audits.

3.6. Follow-up actions were expected to encompass a Bromley Staff Commitment, and further management development opportunities covering not only technical but also 'softer' skills. The ACE (HR) was interested in thoughts put forward about upward mentoring and other feedback techniques, and would be following these through.

<b>Non-Applicable</b>	Policy, Financial, Legal and Personnel
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<b>Sections:</b>	
Background Documents: (Access via Contact Officer)	22 May 2011 note by Dr S. Davey of meeting with ACE (HR)

Report No.  
RES11018

London Borough of Bromley

Agenda  
Item No.

## PART 1 - PUBLIC

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**Decision Maker:**      **Standards Committee**

**Date:**                      **8<sup>th</sup> June 2011**

**Decision Type:**      Non-Urgent                      Non-Executive                      Non-Key

**Title:**                      **ETHICAL INDICATORS**

**Contact Officer:**      Graham Walton, Democratic Services Manager  
Tel: 020 84761 7743    E-mail: graham.walton@bromley.gov.uk

**Chief Officer:**              Mark Bowen, Director of Resources

**Ward:**                      N/A

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1.    Reason for report

1.1    The Committee receives a report at each meeting on a selection of ethical indicators, including complaints against Councillors, Audit Commission Public Interest Reports, objections to the Council's accounts, whistle-blowing incidents, employment tribunals involving an ethical dimension and ombudsman complaints. The latest position is attached in section 3 of this report.

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2.    **RECOMMENDATION**

2.1    **That the information provided in the report be noted.**

### Corporate Policy

1. Policy Status: Existing policy. The Standards Committee has an obligation to consider complaints that have an ethical dimension.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £434,444 (controllable budget)
  5. Source of funding: Existing budgets
- 

### Staff

1. Number of staff (current and additional): There are 10 posts within the Democratic Services Team.
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory requirement. Local Government Act 2000 (as amended) and Local Government and Public Involvement in Health Act 2007
  2. Call-in: Call-in is not applicable. Not an executive meeting.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

3.1 The Committee has previously agreed that information on certain ethical indicators be provided to meetings of this Committee. The indicators for the completed years 2008/09, 2009/10 and 2010/11 are set out below. Running totals for 2011/12 will be reported throughout the year as figures become available.

		Annual Total 2008/09	Annual Total 2009/10	Annual Total 2010/11	Running total 2011/12 (from 1/4/11)
1.	<b>Audit Commission Public Interest Report</b>	0	0	0	0
2.	<b>Objections to the Council's accounts</b> <i>(where there is an ethical basis)</i>	0	0	0	0
3.	<b>Number of complaints against Councillors</b>				
	<i>(a) Received but dismissed without investigation</i>	2	1	0	0
	<i>(b) Considered by Filtering Hearing –</i>				
	<i>- No action taken</i>	1	2	3	0
	<i>- Referred to Monitoring Officer</i>	1	0	0	0
	<i>- Referred to Standards Board</i>	1	0	0	0
	<i>(c) Breach found and sanction imposed.</i>	0	1	0	0
4.	<b>Number of whistle-blowing incidents reported</b>	3	3	2	0
5.	<b>Number of employment tribunal cases received and settled or lost</b> <i>(but only if arising from an ethical dispute.)</i>	0	0	0	0
6.	<b>Number of Ombudsman complaints</b>				
	<i>(a) Received</i>	57	58	61	6
	<i>(b) Settled</i>	41	42	42	1
	<i>(c) Finding of maladministration</i>	0	0	0	0
	<i>(d) Number of local settlements</i>	16	16	19	0

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous Ethical Indicators reports

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## STANDARDS COMMITTEE FUTURE WORK PROGRAMME

Items on the future role of the Committee following on from the enactment of the Localism Bill, the Bribery Act, Licensing and ethical issues, the Compact and Ethical Governance Framework have been held over and are yet to be scheduled.

A special meeting of this Committee may be called once the Localism Bill has completed its progress into law, to discuss the future of this Committee.

<b>8th June 2011</b>	
Specific Items	<ul style="list-style-type: none"> <li>• Reference from Audit Sub-Committee – Fraud checklist</li> </ul>
Standing items	<ul style="list-style-type: none"> <li>• Election of Chairman</li> <li>• Matters arising from previous meetings</li> <li>• Monitoring Officer’s General Report</li> <li>• dispensations;</li> <li>• complaints up-date and briefing/development issues for Members;</li> <li>• review of performance information on ethical indicators</li> </ul>
<b>7<sup>th</sup> February 2012</b>	
Specific items	<ul style="list-style-type: none"> <li>• Chief Internal Auditor – update on Code of Corporate Governance</li> <li>• Whistleblowing Annual Report</li> <li>• Annual Report of the Committee</li> </ul>
Standing items	<ul style="list-style-type: none"> <li>• Matters outstanding from previous meetings</li> <li>• Monitoring Officer’s General Report</li> <li>• dispensations;</li> <li>• complaints up-date and briefing/development issues for Members;</li> <li>• review of performance information on ethical indicators</li> </ul>

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