

## STANDARDS COMMITTEE

### ANNUAL REPORT 2009/10

*“From my viewpoint as a Chief Executive, I’d say that high standards of ethical behaviours in local government are more important now than ever before. We wanted to increase the emphasis and impact of the work we did on this. The Standards Committee at Bromley has evolved to the point where it makes a tremendous contribution to maintaining and developing those standards in the broadest sense. I enjoy my dialogue with the committee on my regular visits and the independent members bring a fresh perspective to our thinking.”*

#### **Role and membership of the Committee**

1. The Standards Committee is the Council body responsible for promoting high standards of conduct by Councillors, hearing cases of complaint against councillors and promoting and maintaining high standards of ethical governance within the Council.
2. During the year, the membership of the Committee was increased by adding an additional Independent Member, and two additional councillors. Membership is as follows:

#### Independent Members

Mr Jonathan Prince (Chairman) (to 2012)  
Dr Simon Davey (Vice-Chairman) (to 2012)  
Mr David Barnett (resigned 2009)  
Mr Nicholas Marcar (to 2013)  
Rabbi Sylvia Rothschild (to 2010)

#### Councillors

Martin Curry  
Peter Dean  
Peter Fookes  
Michael Tickner  
Stephen Wells

I would like to record the Committee’s thanks to Mr Barnett and Rabbi Rothschild for their valuable periods of service on the Committee, and welcome Mr Marcar as our newest independent member.

3. During the year the Committee held a series of scheduled meetings, on June 10<sup>th</sup>, October 5<sup>th</sup>, December 8<sup>th</sup> and March 9<sup>th</sup>. We received no public questions at these meetings.
4. I attended Full Council in June 2009 as Chairman to present this Committee’s second formal Annual Report to the Council, in order to ensure that the scope and impact of our work could be fully understood by councillors, staff and the wider Bromley public. I was pleased and encouraged to note the interest taken in our deliberations.

## Hearing complaints

5. From May 2008 all complaints about Bromley councillors have been considered by the Bromley Standards Committee in the first instance rather than at national level. We decide if the complaint is, first of all, worthy of investigation and then whether there has been a breach of the Code. Ultimately we can hold a hearing and, if necessary, apply a penalty.
6. The Committee has established structures and procedures for local filtering and hearing of complaints. In-house training is provided for all Standards Committee members to ensure that they can carry out their new duties effectively when called on – this draws on general material provided by the Standards Board for England and also includes frequent informal tailored and specific briefings for Standards Committee members on different types of hearing. Independent members of the Standards Committee have also undertaken visits to a variety of Council meetings to observe proceedings, to assist them in making informed judgements on issues that the Standards Committee might wish to discuss or undertake further work on in the future, and are looking for further ways to develop their role, both collectively and as individuals.
7. We publicise our arrangements widely through both internal and external channels, and make information and complaints forms available both in hard copy and through the Council's website.
8. We monitor the conduct of councillors against their compliance with the Code of Conduct, and any complaints received against them. Over the year, three formal complaints were received, relating to three specific incidents. These were filtered by Initial Assessment Sub-Committees of the Standards Committee. In two cases the Initial Assessment Sub-Committee decided to take no further action; the third was in the process of being considered after this report had gone to publication. We also await the outcome of one case which was referred for further detailed investigation by the Standards Board in December 2008 and which has been passed on to the Adjudication Panel (now the First-Tier Tribunal (Local Government Standards, England)) for determination in early April. In all cases we have achieved and published our decision well within the 20 day national target timescale.
9. We have received relatively few complaints that have required local filtering; we believe that this is a positive situation, and we do not wish to have to exercise this power more than we need to. As such, we look to our councillors to maintain their excellent record of responsible behaviour.

*“We have an Independent members’ group which meets quarterly and feeds back with ideas and recommendations for action. We see ourselves as “guide dogs” rather than “watchdogs”, supporting the improvement (and recognition) of ethical behaviour in the round. As a Standards Committee we work with officers and Members as a partnership, holding each other to account.*

*We are committed to development, undergoing training ourselves as well as promoting it within the wider authority. We have allocated key responsibilities and accountabilities between us and have opportunities to discuss issues and concerns outside the Standards Committee meetings to keep our work plan on track. Above all we are here to support the ethical conscience of Bromley and the limited number of complaints and efficient way they are resolved is one of the key indicators of our success”*

### **A wider role in promoting ethical governance issues**

10. This year reflected the increasing emphasis placed on ethical governance issues by key decision-makers in Bromley. This Committee has not only had a discussion with the Leader of the Council on his role and commitment to maintaining high ethical standards in all aspects of Council work, but also the Leader of the Liberal Democrat Group on the Council, the Chief Executive, the Council’s Chief Planner, the Assistant Chief Executive responsible for Human Resources, and one of the Assistant Directors from Adult and Community Services Department responsible for commissioning social care services. In some cases, for example during discussions on issues arising from planning processes, the Committee has put forward ideas or suggestions which have been taken away for further consideration by the Development Control Committee. The Committee has also considered and discussed some challenging issues, such as the political dimensions of decision-making.

*“Previously the Standards Committee was viewed by officers (if they were aware of it at all) as a forum to monitor Councillor compliance with the Code of Conduct and other rather dry “legal” issues.*

*The Committee is now being seen as an important forum for considering ethical issues in their widest sense in respect of the Council’s core service delivery.*

*I found it especially useful to discuss them in respect of the Council’s social care contracts...not just standards and compliance with regulations but also how the delivery of services contributes to dignity and independence for individuals and the role of the wider community”*

11. The Committee will be taking an active role in new councillor induction in May 2010, ensuring that potential candidates have their attention drawn to the obligations placed on them by the Code of Conduct before they stand; and that, once elected, they are aware of the role the Standards Committee plays in working with them to reinforce positive behaviour at all levels across the Council, and where they can seek guidance if they feel it would be useful. In addition to a

general session there will be specific practical sessions covering areas such as Development Control where ethical dilemmas can easily arise. The Committee has been encouraged to see the personal interest, lead and commitment demonstrated by senior figures on ethical issues, and will be interested in following up how they promote and develop the ethical governance agenda further with their colleagues at all levels.

*"The Standards Committee showed a real grasp and interest in the issues of ethics and probity that Councillors involved in development control decisions face. They made some very practical suggestions about ways in which our processes might be changed to overcome some of these dilemmas which will be considered by Development Control Committee in the new Municipal Year."*

12. Over the past 12 months we have monitored the operation of the Council as a whole against a variety of ethical governance indicators, including Audit Commission public interest reports, objections to the Council's accounts on ethical grounds, whistle-blowing issues, employment issues and complaints. We were pleased to note that these showed a relatively small number of issues raised, and no major ethical issues arising from them that required further investigation by the Committee.

#### **Other business of the Committee**

13. Having built sound foundations, the Committee has focussed during the year on promoting its work with a variety of different audiences; for example by developing the standards of conduct pages more fully on the Council's website, pulling together standards and governance issues to create a more rounded presentation of ethical governance issues; and by promoting our ethical governance approaches at various opportunities, e.g. at a Community Links Bromley conference, at gatherings of senior managers, and at meetings with local groups. We have used the opportunities presented by undertaking recruitment for independent members in both summer 2009 and in spring 2010 to promote the role and work of the Standards Committee to a wide range of local people and groups (e.g. business, voluntary sector, the local bench, youth organisations, etc). We were delighted to see when the Place Survey results were published that the percentage of local residents responding positively to the statement that the Council was trustworthy had risen to 73% from the 63% recorded in a comparable survey in the previous year.
14. The Committee seeks to benchmark its approach and work against best practice nationally, and uses attendance at the Annual Assembly of Standards Committees to identify areas where it might undertake further work in the future. We are always looking for ways to develop what we do for the benefit of the Council and local residents. However, this year we were encouraged by what we were told was best practice elsewhere to feel that in certain areas (such as our efforts to widen the scope of the Committee's work, our trail-blazing work in developing a diverse range of ethical indicators and our advance in public perception of the Council's trustworthiness) we were in advance of others.

15. We therefore decided to enter the prestigious Local Government Chronicle Awards, in the Standards and Ethics category, to measure ourselves against the best elsewhere. We were delighted to be one of the six authorities shortlisted in December (alongside Kent CC, South Cambridgeshire DC, Waveney DC, Leeds City Council and West Somerset DC), and following rigorous questioning by the judging panel in January await the final results in late March 2010.

*“There have been few complaints against members at Bromley...in such circumstances some Standards Committees might have decided to “go through the motions”.*

*I have not found this to be the case with this Committee.*

*They have decided that what is being done well can always be done better. They have sought to inform themselves about the Authority’s activities, prepare a work plan and take this forward, with the aim of putting high ethical behaviour at the top of its agenda. I am encouraged by the approach of the Committee and as its newest independent member am pleased that I have the opportunity to influence its progress.”*

## **Future work**

16. There is a lot of work ahead for the Standards Committee in 2010/11, especially in continuing to tackle the practical challenges of handling local complaints filtering and hearings. The Committee hopes to continue its record of undertaking any deliberations within the 20 day recommended timescales, and to ensure that both parties receive full and prompt notifications of decisions taken.
17. The Committee has so far highlighted the following new areas for further development over the year ahead, and included them within its forward programme of work; namely:
- Licensing and ethical issues
  - Ethical governance framework
  - Ethical dimensions of the Local Compact – discussion with Chief Executive, Community Links Bromley
  - Ethical Audit 2008 – Progress report on follow-up actions
18. Finally, I would like to thank my colleague independent Members and Councillors who served on the Standards Committee in 2009/10, consolidating the considerable changes in the standards regime introduced during the previous year, and building on the wider perspective of standards and ethical governance. I am especially pleased that our hard work has gained national recognition this year. I look forward to working with them in 2010/11 in taking forward the next stages of work on these critical issues.

Jonathan Prince,  
Chairman, Standards Committee 2009/10  
March 2010