



AGENDA ITEM: 6

**STANDARDS COMMITTEE:
13 February 2008**

Report of: Council Secretary and Solicitor

Contact for further information: Mrs G L Rowe (Ext 5004)

SUBJECT: LOCAL ASSESSMENT - IMPLEMENTATION

District wide interest

1.0 PURPOSE OF THE REPORT

1.1 To enable Members to start to give thought to implementing the locally managed ethical framework.

2.0 RECOMMENDATIONS

2.1 That the update and general approach be noted and endorsed.

3.0 BACKGROUND

3.1 Members are aware generally and specifically, from the item on the consultation earlier on the Agenda, of the changes to be implemented from 1 April 2008.

3.2 Attached at Appendix 1 Members will find a checklist produced by the Standards Board of things to consider in the run up to 1 April.

4.0 CURRENT POSITION

4.1 Size – we have a Committee of 11 which complies with the Standards Board recommendations as to effective practice.

4.2 Structure – my intention is to ask the Committee to establish an Initial Assessment Sub-Committee and a Review Sub-Committee both with Independent Chairmen. I would like to explore joint working on initial assessments.

- 4.3 Training – a comprehensive programme of training has been provided and further training will supplement this. The Lancashire Standards Conference will take place on 31 March 2008.
- 4.4 Local Assessment Criteria – I intend to bring a report to Committee as soon as the relevant Guidance is available to develop local assessment criteria in relation to what matters should be referred for investigation. I regard this as crucial to managing expectations locally.
- 4.5 Role of the Monitoring Officer – my intention is to comply with the best practice highlighted and to use external resources to prepare draft Initial Assessment Reports for the Standards Committee to work up, including the summary of the allegation, in order that the legal and administration teams will be able to accommodate the additional workload.
- 4.6 Completing existing investigations – a copy of the statistics for this year are attached at Appendix 2 and I am aware of another case which may have been notified to me by the time the Committee sits. The number of Parish complaints is again high and reflects particular difficulties regularly experienced in several of our 20 Parish Councils. Currently, at the time of writing, I do not have any investigations outstanding.
- 4.7 Local Assessment and the Corporate Complaints process – all complaints will be received and logged by myself as Monitoring Officer. I will discuss the relationship between the local assessment process and the corporate complaints process with Operational Management Board as soon as the Guidance is received.
- 4.8 Future Monitoring by the Standards Board – I am hoping that the reporting system will be proportionate and not unduly onerous. I already have a system of reporting to you on ethical activities.
- 4.9 Local Assessment Guidance – to be effective the Guidance and toolkit needs to be provided so we can act on it prior to the implementation date. Sadly this has not happened in the past and I fear will not again, such that duplication of effort and confusion is caused. The templates and flowcharts are extremely helpful and will greatly assist my team in accommodating this additional workload.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 There are no significant sustainability or community strategy implications arising from this report.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 The costs of establishing and operating the new local ethical framework will be substantial given the number of complaints experienced annually over the last 6 years in West Lancashire. The figures are as follows:

2002/4 – 38 allegations, 23 investigations
(average 19 allegations, 12.5 investigations)

2004/5 – 20 allegations, 8 investigations

2005/6 – 12 allegations, 1 investigation

2006/7 – 14 allegations, 0 investigations

2007/8 – 5 allegation, 0 investigations to date – 1 further allegation expected shortly.

The Executive Manager Financial Services and the Portfolio Holder for Finance have agreed that costs can be funded from contingencies until it is possible to better forecast workload.

7.0 RISK ASSESSMENT

7.1 It is essential that as much forward planning is carried out as possible to ensure effective implementation of the new framework. An introduction from 1 April 2008 leaves insufficient time for consultation on the final Orders and Regulations and the implementation processes required.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendix

1. SBE Checklist
2. Complaints to the Standards Board 2007/8