



AGENDA ITEM: 8

**STANDARDS COMMITTEE:
26 NOVEMBER 2012**

Report of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

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SUBJECT: ANNUAL MONITORING OF TRAINING REPORT

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider and evaluate the effectiveness of the training undertaken to date in relation to the Code of Conduct and standards.

2.0 RECOMMENDATIONS

2.1 That the training undertaken and the evaluation of it be noted.

3.0 BACKGROUND

3.1 One of the key roles of the Standards Committee is to ensure that Members are properly trained in the requirements of the Code of Conduct. Section 54 of the Local Government Act 2000 says the Committee is responsible for:

- (a) promoting and maintaining high standards of conduct by the Members and co-opted Members of the Authority;
- (b) assisting Members and co-opted Members of the Authority to observe the Authority's Code of Conduct;
- (c) monitoring the operation of the Authority's Code of Conduct;

(d) advising, training or arranging to train Members and co-opted Members of the Authority on matters relating to the Authority's Code of Conduct.

3.2 A report presented to the Committee on 5th February 2002 suggested a training programme for the introduction of the Code. It was noted that it was essential that **all** Members receive training (including co-opted Members). A further report was presented on 25th June 2003 considering future training requirements and evaluating the training conducted to that date. Annual updates on training have been provided to the Committee since then, with extra training being included when the revised Code of Conduct was introduced in 2007.

3.3 On 1 July 2012 as part of the Localism Act 2011 the system of regulation of standards of conduct for elected and co-opted Councillors changed. At its meeting held on 19 June 2012 the Council adopted a revised Code of Conduct for its Members and was provided on 1 July 2012.

4.0 TRAINING REQUIREMENT

4.1 There seem to be four main aspects to the new Code where Members require training:-

- Background – the new framework.
- General obligations.
- Registration and disclosure of Disclosable Pecuniary Interests (DPIs) (probably the most complex area), Pecuniary and Non-Pecuniary Interests.
- The need to notify the Monitoring Officer of changes to the Register including notification of gifts and hospitality.

4.2 Background

4.2.1 This would cover the new framework for receiving complaints, the local code, dealing with sanctions and include the roles of:-

- the Monitoring Officer
- the Independent Person and Reserve Independent Person
- the Standards Committee

4.3 General Obligations

4.3.1 This would cover:-

- general principles governing conduct (seven principles)
- when the code applies (when acting as a representative of the Council)
- the duty not to disclose
- access to information
- bringing the authority into disrepute
- improperly conferring an advantage or disadvantage
- legal obligations
- use of resources
- publicity
- advice of Statutory Officers

- reasons for decisions

4.4 Declarations of Interest

4.4.1 Historically, the most difficult area for Members has been to understand when interests need to be declared, and, in particular, to recognise what type of interest is involved.

4.4.2 This will include:-

- when does the duty to disclose arise? How much detail must be given?
- what are disclosable pecuniary interests?
- what is a pecuniary interest?
- what is a non-pecuniary interest?
- when does a non-pecuniary interest become a pecuniary interest?
- when do you have to leave a meeting?
- the different rules for Cabinet and Overview and Scrutiny
- how/when to apply for a dispensation

4.5 The Register of Members' Disclosable Pecuniary Interests (DPIs) and notifiable non-pecuniary interests

4.5.1 This will cover:-

- what has to be declared to the Monitoring Officer
- when it has to be done
- rights of public inspection, including publication on the Council's web-site.

4.6 Equality Enactments

4.6.1 Separate training on equalities is organised via Human Resources.

5.0 DELIVERY OF TRAINING

5.1 Code of Conduct

5.1.1 From the adoption of the first Code of Conduct in 2002 and subsequently in 2007 and 2012, training sessions have been held regularly either by external providers North West Employers', Bevan Brittan and Weightmans Solicitors or in-house.

5.1.2 With the introduction of the revised Code of Conduct in 2007 we moved to the Annual Seminar/Workshop. The first seminar under these arrangements was delivered by Graeme Creer of Weightmans Solicitors on 4 April 2007. These were useful case study sessions with model answers which has continued to be a successful mode of training.

5.1.3 On 2 July 2012 Claire Lefort of Weightmans delivered a training session, held here at the Council Offices in Ormskirk, on the new Code of Conduct and a Training Pack was issued to all Standards Committee Members, Borough Councillors, Parish Clerks and Parish Councillors in West Lancashire comprising

the West Lancashire Borough Council and Parish Councils Members' Code of Conduct and a set of notes and case studies with model answers.

5.2 Induction

5.2.1 New Councillors are introduced to the Code at the Induction Sessions which have been held since 2003 and every year since (except when there is no District/Borough Council election.) Courses entitled 'Ethics and Standards' run by North West Employers' in Manchester to complement this training have also been attended. Induction training also refers to the Planning Protocol (on which specific training is given) and the Protocol on Member/Officer Relations.

5.3 Guidance

5.3.1 Guidance to Members and Parishes on the Code has been issued by the Monitoring Officer at regular intervals. Members are advised by email annually about the need to keep their Register up-to-date, usually following the May elections. An annual letter is also remitted, via email, to Parish Clerks for them to remind their Parish Councillors of their obligations under the Code to keep their Register up-to-date.

5.4 Other methods/training

5.4.1 Standards Committee Members and Officers had the opportunity to attend the Standards Board/Standards for England Annual Conference between 2003 and 2010 until the dissolution of that organisation and have also participated in the Lancashire Standards Conference.

5.4.2 Delivery of training through videos and DVDs, that were available on local assessment investigations and hearings prior to the introduction of the new Code have also been viewed by the Standards Committee and Officers. This has complemented the training sessions for Members and Officers on Assessment of Written Complaints by Weightmans Solicitors held and in-house.

5.4.3 The Independent Person and Reserve Independent Person have attended a workshop for Independent Persons on 'Understanding the new local standards framework' on 23 October 2012.

5.4.4 Members may also attend external training on the Code should they so wish and any other relevant training to assist them in their role.

6.0 MONITORING

6.1 Details are kept of attendance at training sessions, so the Standards Committee are able to monitor the take up of the training.

6.2 The success of the training is assessed each year by a customer satisfaction questionnaire after each training event and can be followed up by asking Members if they need further training on certain aspects, or a general "refresher".

7.0 IDENTIFICATION OF TRAINING NEEDS AND TRAINING PLANS

7.1 Training offered and undertaken by each Councillor is recorded on their individual Training Plan. Members new to the Council are issued with an Identification of Training Needs (ITN) questionnaire, through the induction process, to identify their learning and development needs. This can be followed up with 'one to one' if preferred. The Independent Person and Reserve Independent Person are also included in this exercise.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

8.1 The training provided will assist in promoting high ethical Standards which will in turn contribute to achievement of the Community Strategy.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 The costs of providing training on standards is met from existing budget provision.

10.0 RISK ASSESSMENT

10.1 Training needs to be provided to comply with statutory obligations and to ensure Members are fully aware of the requirements placed upon them. This will enable them to avoid being in breach of the Code of Conduct with all the adverse consequences which would necessarily flow. Specific training for Standards Committee Members is provided to enable them to carry out their duties effectively.

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

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

None.