

# **Standards Committee**

**Grand Jury Room, Town Hall  
24 June 2011 at 2.00pm**

The Standards Committee deals with the local code of conduct for councillors and complaints against individual councillors.

# Information for Members of the Public

## Access to information and meetings

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Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

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**COLCHESTER BOROUGH COUNCIL  
STANDARDS COMMITTEE  
24 June 2011 at 2:00pm**

**Members**

**Independent  
Members**

Mr Ian Andrews  
Mr Derek Coe  
Mr Sven Farmer  
Mr Peter Fitton  
Mr Steven Roberts-Mee

**Parish  
Representatives**

Councillor Terence Abnett  
Councillor Bill Anderson  
Councillor Malcolm Bartier

**Councillors**

Councillor Christopher Arnold  
Councillor Nigel Chapman  
Councillor Ray Gamble  
Councillor Henry Spyvee

*(Chairman and Deputy Chair to be appointed at first meeting)*

**AGENDA - Part A**

(open to the public including the media)

**Members of the Public may wish to note that Agenda items 1 to 6 are normally brief**

**Pages**

**1. Appointment of Chairman**

To appoint the Chairman for the ensuing Municipal Year.

**2. Appointment of Deputy Chairman**

To appoint the Deputy Chairman for the ensuing Municipal Year.

**3. Welcome and Announcements**

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched off or to silent;
- location of toilets;
- introduction of members of the meeting.

#### **4. Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

#### **5. Declarations of Interest**

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

- 6. Minutes** **1 - 4**
- To confirm as a correct record the minutes of the meeting held on 4 March 2011
- 7. Standards and the Localism Bill** **5 - 8**
- See report by the Monitoring Officer
- 8. Appointments to Standards Committee Sub-Committees** **9 - 11**
- See report by the Head of Corporate Management
- 9. Review of Local Code of Corporate Governance** **12 - 38**
- See report by the Monitoring Officer
- 10. Standards Committee Work Programme 2010/11 and 2011/12** **39 - 42**
- See report by the Monitoring Officer
- 11. Exclusion of the Public**
- In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).



# STANDARDS COMMITTEE

## 4 MARCH 2011

*Present:-* Peter Fitton (Chairman)  
Parish Councillor Terence Abnett  
Ian Andrews  
Parish Councillor Malcolm Bartier  
Councillor Nigel Chapman  
Councillor Helen Chuah  
Derek Coe  
Sven Farmer  
Councillor Ray Gamble

### **14. Minutes**

The minutes of the meeting held on 26 November 2011 were confirmed as a correct record subject to the addition of the words "be noted" at the end of the resolution to minute 12.

### **15. Standards and the Localism Bill**

The Committee considered a report from the Monitoring Officer providing an update on the Government's proposals in relation to standards contained in the Localism Bill.

The Monitoring officer explained that the Localism Bill was expected to receive Royal Assent early in 2012 and that it would come into force on 1 April 2012. Once the Act took effect, there would not be a mandatory enforceable national Code of Conduct in place. Standards for England would be abolished and the requirement to establish local Standards Committees would end. Individual local authorities, including parish councils, would become responsible for their own standards framework. District Councils would no longer be responsible for standards in parishes within their area. Councils could adopt a Code of Conduct voluntarily and create a voluntary Standards Committee and the Monitoring Officer reported that preliminary work had been undertaken to develop a Code of Conduct that would apply across Essex to ensure that consistently high standards across the County. However, whilst any such voluntary regime would be binding on all members of any authority that adopted it, it would not be backed with the power to suspend or disqualify a member from office.

The Monitoring Officer also explained the proposals relating to interests in the Bill. The Bill provided for the establishment by the Monitoring Officer of a register of members interests. Failure to register or declare an appropriate interest would become a criminal offence. It was anticipated that such allegations would normally be passed back to the relevant authority to investigate in the first instance, which could lead to Monitoring Officers or Parish Clerks having to conduct formal "under caution" interviews with Councillors. It was felt that this system would be more cumbersome and expensive than the existing system and could criminalise innocent or relatively unimportant mistakes.

In discussion, it was confirmed that individual parish councils would need to form their own Standards Committees. The position of the Colchester Association of Local Councils (CALC) was explored. Whilst CALC could recommend a Code of Conduct to individual parish councils it could not adopt a Code on their behalf. The Monitoring Officer agreed to a request to address a meeting of CALC on the proposals in the Bill and to offer guidance and support.

Concerns were expressed by members of the Committee that the current system was being dismantled as it had worked well in Colchester.

It was noted that the Government would issue a formal consultation process on the proposals later in 2011 and the Committee indicated that it needed to be ready to respond to the consultation quickly. In addition the Council needed to be prepared to act quickly to ensure that an effective system was put in place in April 2012. To this end, the Monitoring Officer would bring a voluntary code of conduct to a future meeting of the Committee.

*RESOLVED* that:-

(a) the contents of the Monitoring Officer's report be noted;

(b) the Monitoring Officer submit further reports on the implications of the Localism Bill once these are known.

## **16. Standards Committee Annual Report 2010/11**

The Committee considered a report from the Monitoring Officer recommending that the Committee approve its Annual Report for 2011/12.

In discussion a number of minor amendments were suggested to the Annual Report. The Committee endorsed the report, which it considered was a report to be proud of and expressed its thanks to all those who worked on and supported the Committee. The Monitoring Officer, in consultation with the Chairman, was authorised make any amendments that were necessary to report on the Committee's activities up to the end of March 2011.

*RESOLVED* that:-

(i) the Standards Committee Annual Report 2010/11 be approved subject to the following amendments:-

- the addition of the words "did not meet" after the words in brackets in the final sentence in paragraph 5.1;
- the final sentence of the first paragraph of paragraph 5.4 to be amended to read:

"The Independent Members ensured that at least one of them were present at each session".

- the first sentence of the second paragraph of paragraph 5.4 to be amended to read:

"The Committee was concerned that all Councillors should receive adequate



training on the Code of Conduct to ensure that they are up to date with developments and able to fulfil the functions for which they are elected in a proper manner."

(ii) the Monitoring Officer in consultation with the Chairman be authorised to make any necessary changes in the Annual Report to give effect to the Committee's activities up to the end of March 2011.

*RECOMMENDED* to Council that the Standards Committee Annual Report 2010/2011 be noted.

## **17. Revised Anti-Fraud and Corruption Policy**

The Committee considered a report from the Head of Resource Management proposing a revised Anti-Fraud and Corruption Policy. Hayley McGrath, Risk and Resilience Manager, attended to assist the Committee.

It was confirmed that the Anti-Fraud and Corruption Policy had been reviewed. The only amendment had been the inclusion of details relating to the Bribery Act 2010 and the updated version of the Benefits Sanctions Policy. In discussion a number of amendments were proposed to the policy were proposed, as follows:-

- in the first sentence of the second paragraph on page 2 the replacement of the word "that" with the words "those who";
- in the first sentence of the section entitled "Culture" the reference to "prevention/detection" to be amended to read "prevention and detection". The third sentence of this paragraph needed to be define more clearly the circumstances in an allegation would be treated in confidence. In the third paragraph of this section it was suggested that a reference should be made to the screening process to which allegations were subject.
- any references to "fraud/corruption" to be amended to read "fraud or corruption";
- in the section entitled "Responsibilities of the Head of Resource Management" at page 4 the phrase "wide range of delegated powers both formal and informal" was too open ended and needed to be more closely defined.
- in the section entitled "Official Guidance" on page 6 the phrase "due regard" needed to be defined.

*RESOLVED* that the Revised Anti-Fraud and Corruption Policy be agreed subject to the amendments set out above.

*RECOMMENDED* to Council that the Revised Anti-Fraud and Corruption Policy be included in the Council's Policy Framework.

## **18. Vivienne Eden**

The Chairman explained that Vivienne Eden had resigned from the Standards Committee following her resignation from Tiptree Parish Council. The Committee asked that

its thanks to Vivienne for her service on the Standards Committee be noted and recorded.

*RESOLVED* that the Committee's thanks to Vivienne Eden for her service on the Standards Committee be noted and formally recorded.



## Standards Committee

Item  
**7**

24 June 2011

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Standards and the Localism Bill		
Wards affected	Not applicable		

**This report updates the Committee on the Government's proposals in relation to standards contained in the Localism Bill**

### 1. Decision(s) Required

- 1.1 To note the current position in relation to the Standards for England Regime, and the progress made towards the development of a replacement Standards Framework.
- 1.2 To request that the Monitoring Officer submits further reports on the implications of the Localism Bill once these are known.

### 2. Background

- 2.1 The Committee considered a report at its last meeting on the future for standards in light of the proposals contained in the Localism Bill. This report provides the Committee with an overview of the latest developments.
- 2.2 As part of the Government's Localism Agenda, a commitment to abolish the Standards for England Regime was published in 'The Coalition – our programme for government'. This commitment came about following the Government's concerns that 'the power to judge councillors' behaviour had been taken away from the electorate, undermining democratic accountability at taxpayers' expense'. The Government considers that Standards for England, as an unelected non departmental public body regulating a centrally prescribed code of conduct regime for councillors, is against the principles of localism.
- 2.3 A Communities and Local Government impact assessment released in January 2011 contends that the current code of conduct regime has encouraged frivolous and malicious complaints, all of which have to be assessed by standards committees that Authorities are required to maintain. As parish and town councils are not required to have separate standards committees, the 'parent' authority has had to deal with complaints received about their members at its own expense. The impact assessment identifies further costs associated with the funding of the independent tribunal (First Tier Tribunal – Local Government Standards in England) which deals with appeals against standards committee decisions and cases that may require a heavier sanction than standards committees are able to impose.
- 2.4 A further issue relates to concerns that predetermination may have led to councillors being prevented from speaking or voting on issues simply because they have spoken about them previously or expressed a view. The Government considers that the existing law requires clarification to ensure that councillors are free to campaign, speak and vote without worrying about being accused of predetermination or bias.
- 2.5 The Government's proposal therefore is to abolish the current standards regime, to clarify the law on predetermination, and introduce a new statutory requirement to register and

declare certain personal interests on a publicly available register. This statutory requirement would be reinforced by a new criminal offence where councillors deliberately fail to register or declare interests for personal or financial gain. It is further proposed that Authorities will be free, if they wish, to adopt a code of conduct for their members and to maintain standards committees to consider allegations of breaches of their code of conduct, but they will not have powers to impose sanctions such as suspension.

- 2.6 The Localism Bill has encapsulated these proposals. Currently at its second reading, it is anticipated that the Bill will receive Royal assent in late 2011, with implementation on a fixed date which is likely to be 2 months after the Bill receives assent. Until such time, the current statutory standards regime still exists, and standards committees and Monitoring Officers are obliged to ensure the system continues to operate.
- 2.7 This means that until implementation, an allegation of misconduct can be made but that after the appointed day no further allegations of misconduct can be made under the Standards for England Regime. It also means that allegations already in the process of investigation and appeals against sanctions will still be pending. Transitional arrangements will be put in place to address this.

### **3 Issues and /or Options**

- 3.1 Although there remain a number of questions which may be answered as the Bill progresses, it seems common ground that local authorities will want to develop and maintain a replacement standards regime.
- 3.2 Recently a project has been initiated by the Public Law Partnership (PLP), of which Colchester is a longstanding member, to design a replacement framework to take over once the current arrangements are abolished. It is hoped that all PLP member Authorities will consider adopting the new standards framework as this would enable a consistent approach across the partnership, would achieve savings through the development of common precedents and procedures, and allow for sharing of work (for example investigation of complaints, or joint training for members and officers).

#### PLP Approach:

- 3.2 The new standards framework can be broken down into 3 core components, namely:
- a) A Code of Conduct for Members;
  - b) A system of regulation and enforcement of the Code of Conduct, allowing for a simplified and efficient procedure to deal with complaints and any subsequent appeals;  
and
  - c) Model Terms of Reference allowing for a wider remit for the Standards Committee.
- 3.3 PLP members are currently being asked to identify any shortcomings associated with the existing system, and to provide feedback as to what the new standards framework should look like. Work has commenced on production of draft core documents as outlined above, and in due course, a draft set of these core documents will be circulated for wider consultation with PLP Member Authority officers and councillors.
- 3.4 The new standards framework will work alongside and complement the provisions of the Localism Bill and other legislation relevant to the conduct of elected members. The framework will be based on simplified procedures, and aim to significantly reduce the time taken to deal with allegations.

- 3.5 It is anticipated that new standards framework documentation will be completed and ready for implementation in the autumn. This allows an adequate period of time for the framework to become embedded, and any training of members and officers undertaken.

#### Other Authorities' Approach:

- 3.6 A paper released jointly by The Association of Council Secretaries and Solicitors (ACSeS) and Local Government Improvement and Development in February of this year outlines the provisions Authorities can call upon in the absence of a single body of law to deal with member misconduct. The paper reiterates the text of the Bill in that it is open for Authorities to agree local arrangements in terms of codes of conduct and other local protocols.
- 3.7 Enquiries to date have revealed that Croydon LBC in association with ACSeS have commenced work on a new standards framework, on behalf of all London Boroughs. It appears this project is at the stage that a draft Code of Conduct has been circulated to a core group of London Boroughs for comment.
- 3.8 Enquiries will continue with other Authorities to ascertain what arrangements are being put in place, if any, and to establish whether there are opportunities for further joint working or shared frameworks.

#### **4. Conclusion**

- 4.1 Local Authorities need to consider what arrangements should be put in place, if any, to deal with work currently undertaken by the Standards Committee. Work is underway on the development of an alternative standards framework for PLP partner authorities, which would achieve consistency and cost

#### **5. Strategic Plan References**

- 5.1 The Council's ethical arrangements forms parts of the Council's commitment to customer excellence which underpins the Council's Strategic Plan vision.

#### **6. Financial Considerations**

- 6.1 No particular implications.

#### **7. Equality, Diversity and Human Rights Implications**

- 7.1 No particular implications.

#### **8. Publicity Considerations**

- 8.1 None.

#### **9. Consultation Implications**

- 9.1 The PLP project includes provision for extensive consultation in relation to the new standards framework core documents. Consultation is scheduled to taken place with relevant officers and members. A particular focus of the consultation will be key users and stakeholders, including councillors and independent members, standards committees, town and parish clerks, Essex Association of Local Councils, officers including monitoring officers, chief executives, and relevant legal and democratic services officers.

**10. Community Safety Implications**

10.1 None

**11. Health and Safety Implications**

11.1 None

**12. Risk Management Implications**

12.1 None.

24 June 2011

Report of	Head of Corporate Management	Author	Richard Clifford ☎ 507832
Title	Appointments to Standards Committee Sub-Committees		
Wards affected	Not applicable		

**This report appointments members of the Standard Committee to the various sub-committees that assess and determine complaints against elected members**

## 1. Decision(s) Required

- 1.1 To appoint the members of the Standards Committee to the Allegations Sub-Committee, Allegations Appeals Sub-Committee and Hearings Sub-Committee as set out in paragraph 3.1. below.

## 2. Background

- 2.1 The Standards Committee, in accordance with the local assessment regime which came into force in May 2008 established three sub-committees to deal with the assessment and determination of complaints against elected members:- the Allegations Sub-Committee, the Allegations Appeals Sub-Committee and the Hearings Sub-Committee.

- 2.2 The membership of the sub-committees is drawn from the overall membership of the Standards Committee. The following criteria apply to the membership each of sub-committees:-

- Allegations Sub-Committee: to comprise one Independent member, one elected member of the Council and one Parish representative;
- Allegations Appeals Sub-Committee: to comprise one Independent member, one elected member of the Council and one Parish representative;
- Hearings Sub-Committee: to comprise five members who have not been involved in the initial assessment or review of the complaint.
- Each of the sub-committees must be chaired by an Independent member.

- 2.3 It is proposed to appoint two borough councillors to the Allegations Sub-Committee, although only one would be empanelled for each meeting. As the Allegations Sub-Committee is the first stage in the local assessment process it meets more frequently than the other Sub-Committees and therefore difficulties of scheduling and conflicts of interest are most likely to occur in relation to the work of the Allegations Sub-Committee.

## 3. Proposals

- 3.1 Taking the factors at paragraphs 2.2 – 2.3 into account, it is proposed that for the 2011-12 municipal year the membership of the Standards Committee sub-committees be as follows:-

## **Allegations Sub-Committee**

Derek Coe (Independent Member) (Chairman)  
Malcolm Bartier (Parish Councillor)  
Ray Gamble (Borough Councillor)  
Nigel Chapman (Borough Councillor)

## **Allegations Appeals Sub-Committee**

Steve Roberts-Mee (Independent Member) (Chairman)  
Bill Anderson (Parish Councillor)  
Henry Spyvee (Borough Councillor)

## **Hearings Sub-Committee**

Ian Andrews (Independent Member) (Chairman)  
Terence Abnett (Parish Councillor)  
Christopher Arnold (Borough Councillor)  
Sven Farmer (Independent Member)  
Peter Fitton (Independent Member)

- 3.2 Where members are unavailable or have a personal and prejudicial interest in a complaint, then other members of the Standards Committee may substitute for them, so long as the overall membership criteria detailed at paragraph 2.2 are met and so long as no member sits on both the Allegations Sub-Committee and the Allegations Appeals Sub-Committee on the same matter.

## **4. Strategic Plan References**

- 4.1 The local assessment of complaints regime forms part of the Council's commitment to customer excellence which underpins the Council's Strategic Plan vision.

## **5. Financial Considerations**

- 5.1 None.

## **6. Equality, Diversity and Human Rights Implications**

- 6.1 There are no direct implications for Equality and Diversity from these appointments and as such a full EQIA has not been deemed necessary.

## **7. Publicity Considerations**

- 7.1 None.

## **8. Consultation Implications**

- 8.1 None.

## **9. Community Safety Implications**

- 9.1 None.

## **10. Health and Safety Implications**

- 10.1 None.



## **11. Risk Management Implications**

11.1 None.



## Standards Committee

Item  
**9**

24 June 2011

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Review of Local Code of Corporate Governance		
Wards affected	Not applicable		

**This report requests the Committee to review the  
updated Local Code of Corporate Governance**

### 1. Decision(s) Required

- 1.1 To review the updated Local Code of Corporate Governance and to recommend to Cabinet that it be approved.

### 2. Background

- 2.1 Governance is about how the Council ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and cultures and values, by which such bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities.
- 2.2 The Council strives to meet the highest standards of corporate governance to help ensure it meets its objectives. Members and Officers are responsible for putting in place proper arrangements for the governance of the Council's affairs and the stewardship of the resources at its disposal.
- 2.3 The Committee considered at its meeting on 5 March 2010 a new Local Code of Corporate Governance and recommended to Cabinet that it be approved. Cabinet at its meeting on 17 March 2010 approved the Code and subsequently the Full Council at its meeting on 24 March 2010 included it within the Council's Policy Framework.
- 2.4 The Local Code of Corporate Governance has been developed in accordance with guidance issued in 2007 jointly by CIPFA (The Chartered Institute of Public Finance and Accountancy) and SOLACE (The Society of Local Authority Chief Executives) entitled "Delivering Good Governance in Local Authorities".
- 2.5 This Guidance identified six Core Principles against which local authorities should review their existing corporate governance arrangements and develop and maintain a local code of governance. The principles are;
- Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area;
  - Members and officers working together to achieve a common purpose with clearly defined functions and roles;
  - Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;

- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- Developing the capacity and capability of members and officers to be effective; and
- Engaging with local people and other stakeholders to ensure robust public accountability.

2.2 The six core principles each have a number of supporting principles, which in turn have a range of specific requirements that apply across the range of Council business.

2.3 Attached to this report is an updated Local Code of Corporate Governance which has been prepared in light of the Guidance, the six principles and progress made during the last year. It has also been the subject of consultation with various officers.

2.4 The Code takes each of the principles in turn and elaborates on how the Council will meet its aims, what source documents or processes evidence the aims and in addition highlights any further or ongoing work. This in turn links into the Council’s Annual Governance Statement.

2.5 The following changes to the Code are highlighted for the Committee’s information:

The items highlighted were shown as “Further work ongoing” and have now been completed and are now “Source documents/ processes”. Some items appear more than once as they relate to more than one of the Core Principles.

**Core Principle 1**

<b>Source documents / Processes</b>	<b>Further work ongoing</b>
Annual Monitoring report	Strategic Plan Action Plan
	Review of Communications and Marketing
	Customer insight work
“Council Achievements and Performance and Improvement at the Council ” section on web site	Fundamental Service Reviews

**Core Principle 2**

<b>Source documents / Processes</b>	<b>Further work ongoing</b>
Performance Reporting and Performance Indicators	Strategic Plan Action Plan
	Fundamental Service Reviews

**Core Principle 3**

<b>Source documents / Processes</b>	<b>Further work ongoing</b>
	Strategic Plan Action Plan
Equality Scheme	Annual review of Whistleblowing Policy and Gifts and Hospitality
Performance Reporting and Performance Indicators	Annual review of Anti-Fraud and Corruption Policy
Safeguarding Vulnerable Adults Policy	

## Core Principle 4

Source documents / Processes	Further work ongoing
Equality Impact Assessments	Annual review of Anti-Fraud and Corruption Policy
Equality Scheme	Fundamental Service Reviews

## Core Principle 5

Source documents / Processes	Further work ongoing
Colchester Learning Managers and Customer Excellence awards	Strategic Plan Action Plan
Performance Reporting and Performance Indicators	Fundamental Service Reviews
Equality Scheme	Review of Council Communications and Marketing

## Core Principle 6

Source documents / Processes	Further work ongoing
“Council Achievements and Performance and Improvement at the Council ” section on web site	Strategic Plan Action Plan
Equality Scheme	Fundamental Service Reviews
	Customer insight work

Some new “Source documents/ Processes” have been included which are now recognised to contribute toward the Core Principles but were not included in the previous version of the Code.

- 2.6 Progress has been made during the year in strengthening the Council’s governance arrangements. This includes the work of this Committee which is reflected both in the changes to the “Further work ongoing” column and also inclusion in the “Source documents/ Processes” column.

### 3. Strategic Plan References

- 3.1 Governance forms parts of the Council’s commitment to customer excellence which underpins the Council’s Strategic Plan vision.

### 4. Financial Considerations

- 4.1 None.

### 5. Equality, Diversity and Human Rights Implications

- 5.1 No particular implications.

### 6. Publicity Considerations

- 6.1 The Local Code of Corporate Governance will be included in the Constitution and will be placed on the Council’s website.

### 7. Consultation Implications

- 7.1 None.

**8. Community Safety Implications**

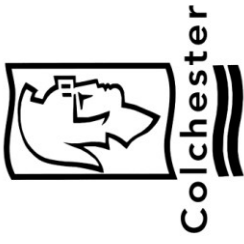
8.1 None.

**9. Health and Safety Implications**

9.1 None.

**10. Risk Management Implications**

10.1 None.



## COLCHESTER BOROUGH COUNCIL

### CODE OF CORPORATE GOVERNANCE

#### Contents

- Core Principle 1** *Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area.*
- Core Principle 2** *Members and officers working together to achieve a common purpose with clearly defined functions and roles.*
- Core Principle 3** *Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.*
- Core Principle 4** *Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.*
- Core Principle 5** *Developing the capacity and capability of members and officers to be effective.*
- Core Principle 6** *Engaging with local people and other stakeholders to ensure robust public accountability.*

## COLCHESTER BOROUGH COUNCIL CODE OF CORPORATE GOVERNANCE

### INTRODUCTION

*“Governance is about how local government bodies ensure that they are doing the right things, in the right way for everyone, in a timely, inclusive, open, honest and accountable manner.*

*It comprises the systems and processes, and cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and where appropriate, lead their communities”.*

Delivering Good Governance in Local Authorities (CIPFA/SOLACE 2007)

The CIPFA/SOLACE guidance “Delivering Good Governance in Local Authorities” identified six Core Principles against which local authorities should review their existing corporate governance arrangements and develop and maintain a local code of governance. These principles are:

- *Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area*
- *Members and officers working together to achieve a common purpose with clearly defined functions and roles*
- *Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour*
- *Taking informed and transparent decisions which are subject to effective scrutiny and managing risk*
- *Developing the capacity and capability of members and officers to be effective*
- *Engaging with local people and other stakeholders to ensure robust public accountability.*

**This Code of Governance has been prepared in accordance with the Guidance and will be reviewed by the Accounts and Regulatory Committee and the Standards Committee on an annual basis.**

**Additionally authorities are required to prepare and publish an Annual Governance Statement in accordance with this framework under Regulation 4(2) of the Accounts and Audit (Amendment) (England) Regulations 2006. The Annual Governance Statement is a key corporate document. The Chief Executive and the Leader of the Council have joint responsibility as signatories for its accuracy and completeness.**

## COLCHESTER BOROUGH COUNCIL: CODE OF CORPORATE GOVERNANCE

<b>Core Principle 1 – Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area</b>		
<b>Our aims in relation to focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area are to:</b>		
<ul style="list-style-type: none"> <li>1.1 Exercise strategic leadership by developing and clearly communicating the authority’s purpose, vision and its intended outcome for citizens and service users</li> <li>1.2 Ensure users receive a high quality service whether directly, or in partnership, or by commissioning</li> <li>1.3 Ensure that the authority makes best use of resources and that tax payers and service users receive excellent value for money</li> </ul>		
<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
<ul style="list-style-type: none"> <li>1.1.1 Develop and promote the Council’s purpose and vision</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Plan 2009-12</li> <li>Service Plans</li> <li>Sustainable Community Strategy</li> <li>Communications Strategy</li> <li>Consultation – “Knowing Your Community”</li> <li>Policy Framework</li> <li>Council website – <a href="http://www.colchester.gov.uk">www.colchester.gov.uk</a></li> <li>Research and Engagement team project work</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Plan 2009-12</li> <li>Strategic Plan Action Plan – progress is reported to Cabinet on a half yearly basis and published on the Council’s website</li> <li>Review of Council’s Communications and Marketing</li> <li>Customer Insight group</li> </ul>
<ul style="list-style-type: none"> <li>1.1.2 Review on a regular basis the Council’s vision for the local area and its impact on the authority’s governance arrangements</li> </ul>	<ul style="list-style-type: none"> <li>Strategic Plan 2009-12</li> <li>Medium Term Financial Strategy and Capital Programme</li> <li>Sustainable Community Strategy</li> <li>Local Code of Corporate Governance</li> <li>Annual Governance Statement and Assurance Framework</li> </ul>	<ul style="list-style-type: none"> <li>Local Code of Corporate Governance updated as required by CIPFA Guidance</li> </ul>



In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>1.1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties</p> <p>1.1.4 Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance</p>	<p>Strategic Plan 2009-12 Sustainable Community Strategy Public Service Partnership Partnership Strategy Partnership Register</p> <p>Statement of Accounts Council's website <a href="http://www.colchester.gov.uk">www.colchester.gov.uk</a> "Council Achievements" and "Performance and Improvement at the Council" – sections on the Council's website</p>	<p>Research is currently being undertaken into establishing the Council's partners key values and vision</p> <p>Strategic Plan actions and monitoring of delivery</p>
<p>1.2.1 Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available</p>	<p>Performance Reporting to Senior Management and Scrutiny Panel. Customer Excellence programme Customer Excellence Standard Consultation – "Knowing Your Community" Mosaic and Touchstone customer research tools Annual Monitoring Report Audit Commission annual audit letter and recommendations Policy Review Panel</p>	<p>Govmetric Fundamental Service Reviews Projects carried out by the Council's Research and Engagement team</p>

In order to achieve our aims we have/will:	Source documents/processes	Further work ongoing
1.2.2 Put in place effective arrangements to identify and deal with failure in service delivery	<p>Performance Reporting and performance indicators</p> <p>Complaints Procedure</p> <p>Internal Audit Process</p> <p>Finance and Audit Scrutiny Panel</p> <p>Executive Director for People and Performance</p> <p>Performance Management Board</p> <p>Customer Service Centre responsible for web site management</p> <p>Audit Commission annual audit letter and recommendations</p>	<p>Group monitoring of summary service plan delivery.</p> <p>Fundamental Service Reviews</p>
1.3.1 Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions.	<p>Performance Reporting</p> <p>Local Authority Carbon Management</p> <p>Nottingham Declaration Strategy and Action Plan</p> <p>Audit Commission annual audit letter and recommendations</p>	<p>Value for money methodology as described in Value for Money section of Use of Resources Carbon Management programme</p> <p>Sustainability assessments for Local Development Framework</p>

<b>Core Principle 2 – Members and Officers working together to achieve a common purpose with clearly defined functions and roles</b>		
<b>Our aims in relation to Members and Officers working together to achieve a common purpose with clearly defined functions and roles are to:</b>		
2.1	Ensure effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function	
2.2	Ensure that a constructive working relationship exists between authority members and officers and the responsibilities of members and officers are carried out to a high standard	
2.3	Ensure relationships between the authority, its partners and the public are clear so that each knows what to expect of the other	
<b>In order to achieve our aims we have/will:</b>		<b>Further work ongoing</b>
2.1.1	Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice	The Constitution will continue to be reviewed on a rolling basis.
2.1.2	Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers	Development of a protocol to cover the working arrangements between Portfolio Holders and senior Officers.
2.2.2	Make the chief executive or equivalent responsible and accountable to the authority for all aspects of operational management	The Constitution will continue to be reviewed on a rolling basis. Support for this from Executive Director People and Performance

	Job Accountability Statement / Person Specification Signature on Annual Governance Statement	
<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
2.2.3 Develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained	Constitution Member/Officer Protocol Regular 1:2:1's	The Constitution will continue to be reviewed on a rolling basis.
2.2.4 Make a senior officer (usually the section 151 officer) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control	Head of Resource Management has been appointed as the Council's Chief Financial Officer (S151 Officer). Constitution Job Accountability Statement / Person Specification S151 Officer Protocol Report template includes financial implications before report considered by Members	
2.2.5 Make a senior officer (other than the responsible financial officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations are compiled with (usually the Monitoring Officer)	Legal Services Manager has been appointed as the Council's Monitoring Officer Monitoring Officer Protocol Report template requires that Legal Services are consulted before a report considered by Members	
2.3.1 Develop protocols to ensure effective communication between members and officers in their respective roles	Member / Officer Protocol Planning Procedures Code of Practice Outside Bodies advice given to Members Member and Officer Codes of Conduct	
2.3.2 Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the	Pay and conditions policies and practices Independent Remuneration Panel Terms of Reference and Reports	

<p>process including an effective remuneration panel (if applicable)</p>	<p>Regular liaison meeting with Unison</p>	
<p><b>In order to achieve our aims we have/will:</b></p> <p>2.3.3 Ensure that effective mechanisms exist to monitor service delivery</p>	<p><b>Source documents/Processes</b></p> <p>Performance Reporting and performance indicators  Executive Director for People and Performance  Complaints Procedure  Heads of Service monitoring Service Plans  Performance Management Board  Performance system  Scrutiny Panels</p>	<p><b>Further work ongoing</b></p> <p>Customer insight work</p>
<p>2.3.4 Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated</p>	<p>Strategic Plan 2009-2012 underpinned by a review of all existing consultation work. Specific consultation with hard to reach groups.  Medium Term Financial Strategy  Performance reporting and performance indicators  Council Website  Communications Strategy  Courier  Customer insight groups</p>	<p>Strategic Plan 2009-12  Strategic Plan Action Plan – progress is reported to Cabinet on a half yearly basis and published on the Council's web site.  Fundamental Service Reviews</p>
<p>2.3.5 When working in partnership ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority</p>	<p>Constitution  Individual Partnership Agreements  Service Level Agreements  Advice given to members in relation to outside bodies  Partnership Strategy  Partnership Register</p>	<p>Research is currently being undertaken into establishing the Council's partners key values and vision</p>

<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
<p>2.3.6 When working in partnership:</p> <ul style="list-style-type: none"> <li>• ensure that there is clarity about the legal status of the partnership</li> <li>• ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.</li> </ul>	<p>Constitution  Individual Partnership Agreements  Service Level Agreements  Advice given to Members in relation to outside bodies  Partnership Strategy  Partnership Register</p>	<p>Research is currently being undertaken into establishing the Council's partners key values and vision</p>

**Core Principle 3 – Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour**

**Our aims in relation to promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour are to:**

- 3.1 Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance
- 3.2 Ensuring that organisational values are put into practice and are effective

<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
3.1.1 Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect	<p>Constitution                      Chief Executive's and Leader's blog on the Council's intranet                      Performance reporting                      Leadership days                      Standards Committee has an overall view of conduct issues established by their terms of reference                      Member and Officer Codes of Conduct                      Increased numbers of Independent Members appointed to Standards Committee                      Member/Officer Protocol                      Whistleblowing Policy                      Anti Fraud and Corruption Policy                      Freedom of Information Policy statement and publication scheme                      Monitoring Officer and S151 Officer Protocols                      Planning Procedures Code of Practice                      Officer Register of Gifts and Hospitality                      Officer voluntary register of interests                      Member's Register of Interests                      Website and intranet</p>	<p>Best Councils' survey work                       Quarterly briefing for staff                       Annual review of Whistleblowing Policy and Gifts and Hospitality                       Annual review of Anti- Fraud and Corruption Policy                       New "Corporate Governance" section set up on the Council's web site to bring all relevant information together under one heading                       Flexible working and Way We Work Programme</p>

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
	<p>Corporate Roadshows by Chief Executive for staff  Executive Management Team shadowing Hub and Spokes Officers focus group  Portfolio Holders monthly sessions with senior officers</p>	
<p>3.1.2 Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conduct and protocols</p>	<p>Member and Officer Codes of Conduct  Performance System  Complaints procedures  Anti-fraud and Corruption Policy  Member/Officer Protocols  Member Development Programme  Officer training on Member/ officer relationship  Whistleblowing Policy  Information and Communication Technology (ICT)  Security Policy  Safeguarding Children's Policy  Hub (intranet)  Safeguarding Vulnerable Adults Policy</p>	<p>Annual review of Whistleblowing Policy  Annual review of Anti Fraud and Corruption Policy</p>
<p>3.1.3 Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice</p>	<p>Member and Officer Codes of Conduct  Equality and Diversity training for Members and Officers  Financial Procedure Rules,  Contract Procedure Rules  Anti-Fraud and Corruption Policy  Whistleblowing Policy  Registers of Interests (Officers and Members)  Services and processes are underpinned by  Equality Impact Assessments  Single Equality Scheme  Officer induction and training</p>	<p>Annual review of Whistleblowing Policy  Annual review of Anti Fraud and Corruption Policy</p>



<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
3.2.1 Develop and maintain shared values including leadership values both for the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners	Member and Officer Codes of Conduct Strategic Plan 2009-12 Administration's vision, 3 objectives and 9 priorities in place and being shared Way We Work Programme - organisational values for People, Customer Excellence, Leadership of Place Shaping and Transformation Performance reporting Customer Excellence	Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis  People Strategy actions  Review of Communications and marketing
3.2.2 Put in place arrangements to ensure that procedures and operations are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice	Contract Procedure Rules Anti-Fraud and Corruption Policy Whistle Blowing Policy Member and Officer Codes of Conduct Monitoring of the above takes place by the Standards Committee ICT Security Policy	Reporting through to Standards Committee on a regular basis
3.2.3 Develop and maintain an effective Standards Committee	Agenda and Minutes Terms of Reference Regular meetings The number of Independent Members and Parish Representatives exceeds statutory minimum Local Assessment of complaints Framework implemented Annual Report Work programme	Annual review of the Local Assessment Framework by the Standards Committee.  Annual Report

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>3.2.4 Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority</p>	<p>Member and Officer Codes of Conduct Strategic Plan 2009-12 Administration's vision, 3 objectives and 9 priorities in place and being shared Way We Work Programme Performance Appraisals Customer Excellence Leadership days Portfolio Holder sessions with Senior Managers Policy Framework</p>	
<p>3.2.5 In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively</p>	<p>Values agreed with each partner Partnership Register Partnership Strategy</p>	

**Core Principle 4 – Taking informed and transparent decisions which are subject to effective scrutiny and managing risk**

**Our aims in relation to taking informed and transparent decisions which are subject to effective scrutiny and managing risk are to:**

- 4.1 Being rigorous and transparent about how decisions are taken and listening and acting on the outcomes of constructive scrutiny
- 4.2 Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs
- 4.3 Ensuring that an effective risk management system is in place
- 4.4 Using their legal powers to the full benefit of the citizens and communities in their areas

<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
<p>4.1.1. Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the organisation's performance overall and of any organisation for which it is responsible</p>	<p>Scrutiny is supported by robust evidence and data analysis                      Agenda and Minutes                      Work programme                      Successful outcome of reviews                      Training on developing meaningful work programme                      Training for scrutiny chairman                      Scrutiny of partners and joint projects</p>	<p>Individual skills for successful scrutiny training in for members in conjunction with Ipswich and Tendring District Councils</p>
<p>4.1.2 Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based</p>	<p>Constitution                      Decision making protocols                      Record of decisions and supporting materials                      Report template                      Decision list published                      Meetings Factory on Council's website</p>	
<p>4.1.3 Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice</p>	<p>Member and Officer Codes of Conduct                      Member and Officer Registers of Interests                      Declaration of Interests at meetings                      Code of Conduct guidance and training provided to Members and Officers</p>	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
	<p>Planning procedures Code of Practice Standards Committee have responsibility for these issues Monitoring Officer reports on these issues Politically restricted posts Anti-Fraud and Corruption Policy</p>	<p>Annual review of Anti- Fraud and Corruption Policy</p>
<p>4.1.4 Develop and maintain an effective Audit Committee (or equivalent) which is independent or make other appropriate arrangements for the discharge of the functions of such a committee</p>	<p>Finance and Audit Scrutiny Panel Terms of Reference Accounts and Regulatory Committee Audit awareness training Agenda and Minutes</p>	
<p>4.1.5 Put in place effective transparent and accessible arrangements for dealing with complaints</p>	<p>Complaints procedure "Help us get it right" Local Assessment Framework</p>	<p>Customer insight work</p>
<p>4.2.1 Ensure that those making decisions whether for the authority or partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications</p>	<p>Council's Website Report templates dealing with key aspects Report by Head of Service with necessary technical expertise included Training and professional development Equality Impact Assessments</p>	<p>Projects carried out by the Council's Research and Engagement Team Customer insight work</p>
<p>4.2.2 Ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately</p>	<p>Report template requires that consultation is undertaken with Monitoring Officer and S151 Officer before report considered by Members Record of decision making and supporting materials S151 and Monitoring Officer Protocols Equality Impact Assessments</p>	

<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
<p>4.3.1 Ensure that risk management is embedded into the culture of the organisation, with members and managers at all levels recognising that risk management is part of their job</p>	<p>Risk Management Strategy part of the Policy Framework  Corporate Risk Manager  Corporate/service planning  Cabinet Member with accountability for risk management  Finance and Audit Scrutiny Panel monthly monitoring role of top 5 risks and regular review of whole risk register  Performance Management Board quarterly risk review  Risk Registers- Strategic, Operational and Project  Risk and Control self assessment completed by all managers  Training for Members and Officers</p>	<p>Currently developing Members training session. Officer training as and when required through Group Management Teams   Fundamental Service reviews look at different ways of delivering services, with risk taken into account</p>
<p>4.3.2 Ensure that arrangements are in place for Whistleblowing to which staff and all those contracting with the authority have access</p>	<p>Whistleblowing Policy  Information for contractors  Monitoring Officer  Constitution</p>	<p>Annual review of Whistleblowing Policy</p>
<p>4.4.1 Actively recognise the limits of lawful activity placed on them by, for example the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities</p>	<p>Constitution  Monitoring Officer  Report templates  Equality Impact Assessments  Single Equality Scheme</p>	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>4.4.2 Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law</p>	<p>Availability of professional legal advice Monitoring Officer Protocol S151 Officer Protocol Report templates Constitution Equality Impact Assessments Single Equality Scheme</p>	
<p>4.4.3 Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice into their procedures and decision making processes</p>	<p>Monitoring Officer Protocol S151 Officer Protocol Procedure Rules Report template Constitution Format for quasi judicial committees "Have Your Say" leaflet Planning Procedure Code of Practice Equality Impact Assessments Single Equality Scheme</p>	

**Core Principle 5 – Developing the capacity and capability of Members and Officers to be effective**

**Our aims in relation to developing the capacity and capability of Members and Officers to be effective are:**

- 5.1 Making sure that Members and Officers have the skills, knowledge, experience and resources they need to perform well in their roles
- 5.2 Developing the capability of people with governance responsibilities and evaluating their performance as an individual and as a group
- 5.3 Encouraging new talent for membership of the authority so that best use can be made of individuals' skills and resources in balancing continuity and renewal

<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
<p>5.1.1 Provide induction programmes tailored to individual needs and opportunities for Members and Officers to update their knowledge on a regular basis</p>	<p>Member training and development Member and Officer Induction programmes Refresher courses Briefings Officer Development Plan (individual and corporate) Appraisals for officers People Strategy Personal Development Plans Learning and Development Strategy/Annual Plan</p>	<p>Member skills development</p>
<p>5.1.2 Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the organisation</p>	<p>Appraisals Training Induction Monitoring Officer and S151 Officer Protocols Employee Policies Learning and Development Strategy/Annual Learning and Development Plan</p>	

<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
5.2.1 Assess the skills required by Members and Officers and make a commitment to develop those skills to enable roles to be carried out effectively	<p>Appraisals for officers</p> <p>SMART objectives</p> <p>Personal Development Plans for officers</p> <p>Member training and development</p> <p>People Strategy</p> <p>Learning and Development Strategy/Annual Learning and Development Plan</p>	Member skills development
5.2.2 Develop skills on a continuing basis to improve performance including the ability to scrutinise and challenge and to recognise when outside expert advice is needed	<p>Appraisals for officers</p> <p>Personal Development Plans for officers</p> <p>Member training and development</p> <p>Member scrutiny training</p> <p>People Strategy</p> <p>Colchester Learning Managers and Customer Excellence awards</p>	<p>Member skills development</p> <p>Fundamental Service Reviews</p>
5.2.3 Ensure that effective arrangements are in place for reviewing the performance of the authority as a whole and of individual members and agreeing an action plan which might for example aim to address any training or development needs	<p>Performance reporting and performance indicators</p> <p>Performance and Improvement Framework</p> <p>Performance management and appraisals for officers</p> <p>SMART objectives</p> <p>People Strategy</p> <p>Investors in People Assessment</p> <p>Comprehensive Area Assessment</p> <p>Annual Audit Letter</p> <p>Organisational Assessment</p>	



<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
<p>5.3.1 Ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority</p>	<p>Equality Impact Assessments on services and policies            Knowing your community on web site            Voluntary Sector Compact            Mosaic and Touchstone            Public meetings            Single Equality Scheme            Strategic Plan Consultation            Local Development Framework consultation            Life opportunities and Community development work            Neighbourhood Action Panels            Consultations ( eg waste survey carried out using a range of communication methods to encourage participation )            Customer insight work            Research and Engagement Team projects</p>	<p>Review of Council communications and marketing</p>
<p>5.3.2 Ensure that career structures are in place for Members and Officers to encourage participation and development</p>	<p>People Strategy            Internal Recruitment Process            Internal Secondments            Personal Development Plans for officers</p>	<p>Human Resource Plans            Member skills development            Fundamental Service Reviews</p>

**Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability**

**Our aims in relation to engaging with local people and other stakeholders to ensure robust public accountability are to:**

- 6.1 Exercise leadership through a robust scrutiny function which engages effectively with local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships
- 6.2 Take an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly, in partnership or by commissioning
- 6.3 Make best use of human resources by taking an active and planned approach to meet responsibility to staff

<b>In order to achieve our aims we have/will:</b>	<b>Source documents/Processes</b>	<b>Further work ongoing</b>
6.1.1 Make clear to themselves, all staff and the community, to whom they are accountable and for what	Constitution Community Strategy Stakeholder identification Targets and Performance Monitoring Website and intranet Consultation Strategy Communications Strategy Satisfaction surveys	
6.1.2 Consider those institutional stakeholders to whom they are accountable and assess the effectiveness of the relationships and any changes required	Stakeholder identification Statutory provisions Stakeholder surveys Consultation Strategy Communications Strategy Partnership Strategy Partnership Register	
6.1.3 Produce an annual report on scrutiny function activity	Annual Report	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
6.2.1 Ensure that clear channels of communication are in place with all sections of the community and other stakeholders including monitoring arrangements to ensure that they operate effectively	Communications Strategy Web sites Equality Impact Assessments Courier Safeguarding Children Policy	Safeguarding Vulnerable Adults Policy  Review of Council communication and marketing
6.2.2 Hold meetings in public unless there are good reasons for confidentiality	Constitution Access to Information Rules	
6.2.3 Ensure arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands	Strategic Plan 2009-12 Web site - "Knowing Your Community " section Consultation strategy Communications strategy Community strategy Single Equality Scheme and Equality Impact Assessments Corporate business plan Service Plans Budget Consultation Meeting	Fundamental Service Reviews
6.2.4 Establish a clear policy on the types of issues they will meaningfully consult on or engage with the public and service users including a feedback mechanism for those consultees to demonstrate what has changed as a result	Statement of Community Involvement Customer Excellence Customer insight project team Partnership framework Communication strategy Consultation Strategy Budget Consultation meeting Strategic Plan consultation Mosaic and Touchstone	Govmetric  Customer insight work

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>6.2.5 On an annual basis, publish a performance plan giving information on the authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period</p>	<p>Statement of Accounts Strategic Plan 2009-12 Website <a href="http://www.colchester.gov.uk">www.colchester.gov.uk</a></p> <p>Performance Reporting and Performance Indicators</p> <p>Council website has "Performance and Improvement at the Council" "Council Achievements" and "Council and Democracy" sections</p> <p>Archived agendas and minutes now published as well as the current ones on the website</p>	<p>Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis</p>
<p>6.2.6 Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so</p>	<p>Constitution</p> <p>Customer service standards</p> <p>Voluntary Sector Compact</p> <p>"Have Your Say" at meetings</p> <p>Freedom of Information Act Publication Scheme</p> <p>Member and Officer Codes of Conduct</p> <p>Way We Work Programme</p> <p>Whistle Blowing Policy</p> <p>Anti-Fraud and Corruption Policy</p> <p>Monitoring Officer Protocol</p> <p>Communications Policy</p> <p>Data Protections Policy</p> <p>ICT Security Policy</p> <p>Council website</p>	<p>Annual review of Whistleblowing Policy</p> <p>Annual review of Anti-Fraud and Corruption Policy</p>
<p>6.3.1 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making</p>	<p>Investors in People</p> <p>Facilities and Recognition Agreement with UNISON</p>	

24 June 2011

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Standards Committee Work Programme 2010/11 and 2011/2012		
Wards affected	Not applicable		

**This report request the Committee to note progress on its 2010/11 work programme and agree a work programme for 2011/2012**

## 1. Decision(s) Required

- 1.1 To note progress against the work programme for 2010/2011 and to agree a work programme for 2011/2012.

## 2. Background

- 2.1 The Standards Committee's role has changed significantly since it was created in 2001. More responsibilities have been placed upon it by successive legislation recently culminating in the local assessment framework in relation to complaints made against members. However its future role as a statutory committee is now uncertain with the proposals contained in the Localism Bill. The work programme has been drafted with this in mind.
- 2.2 In order for the Committee to keep track of its responsibilities and to ensure that it reviews issues within its terms of reference, the Committee has an agreed work programme. This was last reviewed at its meeting on 5 March 2010.
- 2.3 The intention of the work programme is to chart progress in respect of each issue and the target date for each one to next come before the Committee. This has enabled the Committee to identify issues which it wishes to see addressed and give officers a clear indication of those issues.
- 2.4 Progress has been made on the work programme for 2010/2011 and the Committee is requested to consider a proposed work programme for 2011/2012. The Committee is also invited to include any other issues that it wishes to review that are within its terms of reference.

## 3. Strategic Plan References

- 3.1 The Council's ethical arrangements forms parts of the Council's commitment to customer excellence which underpins the Council's Strategic Plan vision.

## 4. Financial Considerations

- 5.1 None.

**5. Equality, Diversity and Human Rights Implications**

5.1 No particular implications.

**6. Publicity Considerations**

6.1 None.

**7. Consultation Implications**

7.1 None.

**8. Community Safety Implications**

8.1 None

**9. Health and Safety Implications**

9.1 None

**10. Risk Management Implications**

10.1 None.

<b>STANDARDS COMMITTEE WORK PROGRAMME 2010/2011</b>
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SUBJECT	MEETING DATE	PROGRESS	ACHIEVED
Review of training for Members on the code of conduct / local assessment (a) Borough Councillors  (b) Town and Parish Councillors	(a) 26 Nov 10  (b) 26 Nov10	Reported to 26 Nov 10 meeting	✓
Review of Local Assessment process	26 Nov 10	Reported to 26 Nov 10 meeting	✓
Review publicity for Local Assessment process	26 Nov 10	Reported to 26 Nov 10 meeting	✓
Consideration of the Local Government Ombudsman's Annual Letter	26 Nov 10	Reported to 26 Nov 10 meeting	✓
Raising the profile of the Committee: (a) produce an annual report  (b) review presence on Council website	(a) 4 Mar 11  (b) 26 Nov10	(a)Reported to 4 Mar 11 meeting  (b) Reported to 26 Nov 10 meeting	✓
Annual review of Anti-Fraud and Corruption Policy	26 Nov 10	Reported to 26 Nov 10 meeting	✓
Annual review of Whistleblowing Policy	26 Nov 10	Reported to 26 Nov 10 meeting	✓
Recommendation of adoption on revised Code of Conduct		Await regulations	
Committee's role in appeals against designation of politically restricted posts		Await regulations	

**Other matters may be included as and when the need arises.**

<b>STANDARDS COMMITTEE WORK PROGRAMME 2011/2012</b>
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SUBJECT	MEETING DATE	PROGRESS	ACHIEVED
Review of training for Members on the code of conduct / local assessment (a) Borough Councillors  (b) Town and Parish Councillors	(a) 25 Nov 11  (b) 25 Nov 11		
Review of Local Assessment process	25 Nov 11		
Review publicity for Local Assessment process	25 Nov 11		
Consideration of the Local Government Ombudsman's Annual Letter	25 Nov 11		
Raising the profile of the Committee: (a) produce an annual report (b) review presence on Council website	(a) 9 Mar 12  (b) 25 Nov 11		
Annual Review of Local Code of Corporate Governance	24 Jun 11	On agenda for 24 Jun 11 meeting	
Annual review of whistleblowing policy, and Anti-Fraud and Corruption Policy	16 Sep 11		
Future of standards and Localism	Each meeting		
Adoption of voluntary code of conduct		Awaiting guidance	

**Other matters may be included as and when the need arises.**

**Meeting Dates 2011/2012:** 24 June 2011, 16 September 2011, 25 November 2011, 9 March 2012



