

BABERGH DISTRICT COUNCIL

FROM: The Monitoring Officer

REPORT NUMBER H66

TO: STANDARDS COMMITTEE

DATE OF MEETING: 11 July 2008

THE STANDARDS BOARD FOR ENGLAND BULLETIN (ISSUE 39)

1. **PURPOSE OF REPORT**

To receive the latest bulletin published by the Standards Board for England.

2. **RECOMMENDATION TO COUNCIL**

That the content of this report be noted.

The Committee is able to resolve this matter.

3. **FINANCIAL IMPLICATIONS**

3.1 None

4. **RISK MANAGEMENT**

Not applicable to this report.

5. **KEY INFORMATION**

5.1 The latest bulletin published by the Standards Board explains how the local reporting system will work for local authorities to register complaints received under the local complaints system. The Local Government and Public Involvement in Health Act 2007 introduced the requirement for periodic returns to be sent to the Standards Board within such periods as the Board directs and containing details of allegations received, reviews and exercise of functions by standards committees and their monitoring officer.

5.2 Members will note that the returns are to be made quarterly and monitoring officers will have a 10 working day window at the end of each quarter to file the return. The first return is due by 14 July. The Monitoring Officer can confirm that the return has been filed.

5.3 A database has been set up by the Council to record and track the progress of complaints to assist with the filing of returns. The Committee will receive statistical details on the handling of complaints at regular intervals.

6. **APPENDICES**

Appendix 1 – Standards Board for England Bulletin 39 (June 2008)

7. **BACKGROUND PAPERS REFERRED TO:**

None

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Welcome to Issue 39 of the *Bulletin*.

I am pleased to introduce my first *Bulletin* since succeeding David Prince as Chief Executive of the Standards Board for England. I look forward to meeting many of you and working closely with you over the coming months.

Local assessment is now in place, and the last couple of months have been busy for local authorities preparing for the introduction of the devolved framework. Some standards committees have already risen to the challenge of assessing their first Code of Conduct complaints.

In this *Bulletin*, we present the personal reflections of the Strategic Director at Newark and Sherwood District Council on preparing for local assessment. I hope that you find this an interesting read. We also focus on the new online local reporting system. We are confident you will find this system easy to use.

You are probably aware of the Standards Board's next Annual Assembly of Standards Committees, due to be held in October 2008. *Delivering the Goods: Local Standards in Action* is proving to be our most popular Annual Assembly ever, with more than 90% of places already booked. If you have already secured your place, we would advise you to return your conference session preference form as soon as possible to make sure you get your first choice of sessions – they are filling up fast!

Finally, I am pleased to introduce the new Chair of the Standards Board, Dr Robert Chilton. Dr Chilton will succeed Sir Anthony Holland in July 2008 and we present a brief biography in this *Bulletin*.



Glenys Stacey
Chief Executive

Launch of the Standards Board's online local reporting system

Our new local reporting system went live on 8 May 2008 to coincide with the introduction of local case handling. It was launched by an email sent to all monitoring officers in our contact database. The reporting system consists of a short questionnaire about the authority and the standards committee, a section to enter some basic information about each case the standards committee has received, and some guidance materials.

You can access the reporting system by visiting the Resources section of our website, www.standardsboard.gov.uk, and clicking on the 'Monitoring returns' menu item. This will take you directly to the login page.

Alternatively, you can go directly to <https://authority.standardsboard.gov.uk>.

Support

We have tried our best to make the reporting system as easy to use as possible. Once you log in, click on the 'online help' link in the left-hand menu for an online guide to using the system. There is also an A-Z of questions document, which explains in more detail what is expected from each of the questions asked in the form.

Any queries about the quarterly return process can be sent to: authorityreturns@standardsboard.gov.uk or you can speak to the Monitoring Team by calling **0161 817 5300**.

Who should complete and submit the quarterly return?

The monitoring officer is accountable for submitting accurate and timely returns at the end of each quarter. We know that some monitoring officers will delegate the task of filling out and

submitting the return to someone else in their authority. However, as the accountable person, we will continue to send all correspondence regarding quarterly returns only to the monitoring officer.

It is the monitoring officer's responsibility to ensure that the person they have delegated monitoring returns to is kept up-to-date of any email notifications from us.

How the quarterly return process works

We will be analysing and reporting on case handling activity within each quarter. The quarters are defined by the financial year as follows:

- **Quarter 1** is the beginning of **April** to the end of **June**.
- **Quarter 2** is the beginning of **July** to the end of **September**.
- **Quarter 3** is the beginning of **October** to the end of **December**.
- **Quarter 4** is the beginning of **January** to the end of **March**.

Due to the delayed start of local assessment, the very first period we are collecting information for is 8 May 2008 to the end of June 2008.

As a result of the need to collect returns as quickly and efficiently as possible at the end of each quarter, there will be a period of ten working days within which submissions must be made. This period, which we will refer to as the 'submission window', will start on the day after each quarter has ended. The dates for this for the current financial year are shown on [page 3](#).

We will send an email reminder to all monitoring officers when their submission is due.

Submission window dates for the current financial year:

- **Quarter 1**
01 July 2008 to 14 July 2008*
- **Quarter 2**
01 October 2008 to 14 October 2008*
- **Quarter 3**
02 January 2009 to 15 January 2009*
- **Quarter 4**
01 April 2009 to 16 April 2009*

*Midnight on these closing dates.

What happens next?

As the framework beds in and quarterly returns are collected, we will begin to build up a national picture of how successful the implementation of case handling has been. We will be able to collect data on specific areas of the framework to allow us to pinpoint good practice and identify any areas of concern as trends emerge. We may contact monitoring officers to request further details about particular cases to help us do this.

As we no longer have responsibility for investigating all cases on a national level, we will not be able to continue publishing summaries of completed investigations on our website. Instead, we will produce quarterly statistics about cases handled across the country. We also intend to compile a report highlighting notable practice in local case handling on an annual basis.

If you are a monitoring officer and you have not received the launch email with your username and password, please contact our monitoring team on **0161 817 5300** or email authorityreturns@standardsboard.gov.uk.

New guidance published

The latest guidance to support local authorities in the implementation and function of the local standards framework is now available to download from the Guidance section of our website www.standardsboard.gov.uk.

Four pieces of guidance and two toolkits have now been published:

- **Local assessment of complaints:** Details each stage of the process, as well as offering guidelines for best practice.
- **Local assessment toolkit:** Useful document templates for local assessment, which can be used or adapted by authorities as required.
- **The role and make-up of standards committees:** Advice on setting up and operating effective committees.
- **Local investigations and other action:** An overview of the issues involved in local investigations and other action.
- **How to conduct an investigation:** A comprehensive guide to conducting an investigation.
- **Investigations toolkit:** Useful document templates to help with conducting investigations locally, which can be used or adapted by authorities as required.

Guidance on standards committee determinations will be published on our website in early July 2008.

Reviews of local assessment decisions: Timeframe for review requests

If a standards committee decides not to take any action on a Code of Conduct complaint, then the complainant has a right of review over that decision. The complainant should be advised of their right to ask for a review of a decision to take no action. They should also be told that they can exercise this right by writing to the standards committee with their reasons for requesting a review.

The standards committee must receive the complainant's review request within 30 days after the complainant receives the initial assessment decision.

We would like to clarify that this is 30 days in total and not 30 working days. Our *Local assessment of complaints* guidance, available from our website, has been updated to reflect this position.

Local assessment – A personal reflection

Kirsty Cole
Strategic Director (Corporate Services)
Newark and Sherwood District Council

I had thought that Newark and Sherwood District Council was reasonably well placed for meeting its new duties and responsibilities when the local assessment of complaints was introduced by the Standards Committee (England) Regulations 2008 on 8 May 2008.

We had decided in the autumn of last year to increase the size of the standards committee to 15, with four independent members, four parish representatives and seven elected members, in order to ensure that we had a sufficient pool from which to draw when setting up assessment and review sub-committees and hearing panels.

We had placed adverts for new members before Christmas last year and our standards committee chair was profiled in the November issue of our council newsletter, setting out the work undertaken by the standards committee, outlining its new role in the local assessment of complaints and encouraging people to come forward for positions on the standards committee.

Our marketing campaign was extremely successful and we were able to recruit three new independent members of an extremely high calibre to the standards committee, together with two additional parish representatives (our two existing parish representatives are continuing their term of office for a further year to provide some continuity in the changeover to the new arrangements).

The new appointments were confirmed at the February council meeting and all the new members were given induction training on the work of the standards committee – not just in the local assessment of complaints, but on the standards committee's wider role in embedding high standards of ethical conduct within the organisation and across the parish councils within our district.

We had already participated in the Standards Board's local filter pilot in July 2007, and Newark and Sherwood District Council had been instrumental in organising further county-wide training on the local assessment of complaints in early March 2008, in which our new standards committee members had participated.

However, what I had not anticipated in the first week of May 2008 was the sheer volume of paperwork which I would need to prepare in a very short timescale, and I certainly hadn't anticipated that we would receive our first complaint immediately after the Regulations came into effect and before our standards committee had even had the chance to meet to set up its assessment and review sub-committees.

Fortunately, I had built in an initial step within our complaints procedure that, unless a complainant indicated otherwise, we would endeavour to resolve any complaint informally through local resolution prior to its submission to the assessment sub-committee.

I consider that this step is permitted within the regulatory framework as there is no legal requirement to place the complaint before the assessment sub-committee until a written complaint has been sent to the standards committee (Section 57C of the Local Government and Public Involvement in Health Act 2007). Fortunately, this particular complaint had been expressly addressed to the Chief Executive.

We managed to get a copy of the complaint form and a notice about the new arrangements onto the council's website before 8 May 2008 – but only just! – and we are still working through the various forms and other documents for which the Standards Board has helpfully provided templates in its toolkit.

Our standards committee will meet on 11 June 2008 to formally establish the assessment sub-committee and review sub-committee, which we will draw from a panel of members of the standards committee rather than having a fixed membership. I believe that, as monitoring officers, we have to make pragmatic judgements of what will work in practice and where any risk or challenge might lie.

The Standards Board is to be commended in producing template documentation and guidance so promptly and efficiently. I know that because of the speed with which the Standards Board was required to turn things around, there have been some amendments to the guidance which was initially issued. As a word of caution, you need to double check the Standards Board's website to ensure that you are working to the most up-to-date guidance.

In summary, I am glad that we had increased the size of our standards committee well in advance of 8 May 2008 and that we had had the invaluable experience of participating in the local filter pilot. However, we still found ourselves in a position where we were not fully prepared when the new regulations came into effect and we are still working hard in putting all the documentation and procedures in place. It was a much bigger task than I had envisaged and would have been virtually impossible without the help and support offered by the Standards Board.



CLG appoints new Chair of the Standards Board

The Secretary of State for Communities and Local Government (CLG) has

appointed Dr Robert Chilton as the new Chair of the Standards Board for England. He will take over from Sir Anthony Holland on 1 July 2008 for a three-year term.

Dr Chilton's association with local government goes back to 1965 when he began his career in regional planning. From the mid-1980s he has held positions as Chief Executive of Gillingham Borough Council, Director of Local Government Studies at the Audit Commission, Head of Transition and then interim Chief Executive of the Greater London Authority, and interim Commissioner for Transport at Transport for London.

He is also a non-Executive Director of the Waste and Resources Action Programme, a Board Member for the Office of the Information Commissioner, Chair of the major London housing association the East Thames Group, and Deputy Chair of ICSTIS, the premium rate phone regulator.

In announcing Dr Chilton's appointment on 13 May 2008, Minister for Local Government John

Healey expressed his confidence in Dr Chilton's "strategic vision" and "deep understanding and experience of local government". He also thanked Sir Anthony Holland for his hard work over the past seven years.

Bulletin statistics

Due to the introduction of local assessment and our changing role, we will be reporting different statistical information from now on. This information will be available following the analysis of information collected through our online local reporting system. To find out more about the operation of this system, please see [page 2](#) of this *Bulletin*.