

**MANCHESTER CITY COUNCIL
REPORT FOR RESOLUTION**

COMMITTEE: Standards Committee

DATE: 25 June 2007

SUBJECT: Standards Board for England Local Filter and Monitoring and Audit Pilots

REPORT OF: The City Solicitor

PURPOSE OF REPORT:

To report to the Standards Committee on the Standards Board for England's local filter and monitoring and audit pilots.

RECOMMENDATIONS:

To note the provisions of this report.

FINANCIAL CONSEQUENCES FOR REVENUE BUDGET:

None

FINANCIAL CONSEQUENCES FOR CAPITAL BUDGET:

None

WARDS AFFECTED:

All

IMPLICATIONS FOR:

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

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BACKGROUND DOCUMENTS:

Report to Standards Committee on 15 January 2007
Standards Board for England's Bulletin 32 February 2007
E-mail to members of Standards Committee dated 8 June 2007

Background

1. At its meeting on 15 January 2007 members of the Standards Committee were advised that the Local Government and Public Involvement in Health Bill (“the Bill”) proposed a new framework for dealing with complaints under the code of conduct for local authority members. The Bill proposes that Standards Committees will make initial assessments of misconduct allegations in place of the Standards Board for England (“SBE”). The Bill also proposes that the SBE will take on a revised regulatory role providing supervision, support and guidance for local authorities to ensure consistent standards.
2. In February 2007 the SBE announced that they were keen to work with local authorities to develop their new role in supporting the effective implementation of the new strategic framework. They requested volunteers to work with them on three pilots:
 - (i) operating the local filter;
 - (ii) developing the SBE’s monitoring and audit role; and
 - (iii) development of joint arrangements for standards committee’s.
3. Fifty local authorities volunteered to participate in the pilots. At its meeting on 15 January 2007, the Standards Committee volunteered to participate in both the local filter and the monitoring and audit pilots and have been selected to work with the SBE in relation to both of them.

Local Filter Pilot

4. The SBE have advised that the overarching aims and objectives of the local filter pilot is to support local authorities through the transition to the local filter for dealing with complaints, by developing and testing a local filter and identifying model rules of procedure for standards committees.
5. We have received instructions regarding the pilot of the local filter. The Standards Committee has been asked to consider
 - (i) 10 initial complaints alleging breaches of the revised model code of conduct for local authority members which came into force on 3 May 2007 (“the Revised Code”); and
 - (ii) 2 cases where the decision not to refer has already been taken and the complainant has appealed

and decide on the appropriate course of action.

6. The cases cover a range of allegations from members of the public, elected members and officers. The Standards Committee will be presented with a covering report to introduce the case and guide them through the exercise. Following the exercise Standards Committee will be asked to complete a local filter pilot decision recording form for each of the cases considered and a local filter pilot feedback form commenting on the effectiveness of the process and resource implications for local authorities.
7. As the Standards Committee is asked to consider the allegations against the Revised Code, the exercise can only take place once members have attended one of the briefing sessions taking place on 27 June and 4 July. It is proposed that the Standards Committee be divided into two mock sub-committees who will consider 5 initial complaints and 1 appeal each, it is anticipated that this exercise will take 1 hour 30 minutes. Members have been asked to provide details of their availability to enable us to set up a meeting for each mock sub-committee.
8. The SBE's Project Manager has requested that the SBE observe the Standards Committee's local filter exercise. Officers from the local filter pilot team will hold telephone interviews with the independent chairs from a sample number of authorities after the exercise is completed to gain detailed information about how the decision-making process functioned in the pilot.

Monitoring and Audit Pilot

9. The SBE have advised that the aim of the monitoring and audit pilot is to develop an information return programme for the SBE to monitor the effectiveness of the local filter and provide ongoing assurance about overall ethical governance. The SBE's proposed approach is that:
 - (i) an electronic information return programme will be developed;
 - (ii) each volunteer authority will be asked to report on the composition and terms of reference of its standards committee;
 - (iii) each volunteer authority will also be asked to report case specific monitoring information over the previous two financial years, for example, number and type of allegations received; time taken for investigations; and the outcome and sanctions of local determinations;
 - (iv) the pilot will include information relating to the number of cases investigated by the SBE; outcomes and sanctions; and referrals to

the Adjudication Panel for England over the previous two financial years;

- (v) officers from the project team will be available to meet with authorities to gather 'soft' information about other internal reporting processes in place for standards committees;
- (vi) recommendations for a range of additional intervention protocols such as review visits, peer review, regulatory reports, training opportunities and general guidance will be developed.

The SBE will be issuing instructions in relation to the monitoring and audit pilot in due course.