

Standards Committee



DATE: Tuesday 11 August 2009
TIME: 10.00am
VENUE: Conference Room, Police Authority Offices,
Constabulary Headquarters, Winsford

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1. APPOINTMENT OF CHAIRMAN	
To appoint a Chairman for the ensuing year.	-
2. MEMBERSHIP	
To consider the attached report by the Chief Executive	3
3. MINUTES	
To confirm the minutes of the meeting held on 8 December 2008	5
4. REGIONAL STANDARDS TRAINING: KEY ISSUES & FEEDBACK	
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5. ENHANCED ROLE FOR THE STANDARDS COMMITTEE	
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6. DATE OF NEXT MEETING	
To note that the next meeting of the Committee will be held on Thursday 10 December 2009 at 9.30am	-
7. URGENT BUSINESS	
To consider any matters that the Chairman determines are urgent	-

Our Mission - to work in partnership with Cheshire Constabulary and others to create safer communities; and increase confidence and satisfaction in policing

Our Vision - to ensure an efficient and effective police service, that is built on neighbourhood policing, tackles all levels of criminality and makes the citizens of Cheshire safe and feel safer

Our Aims -

- To assist in achieving a consistently high performing force
- To ensure improvements in performance and scrutiny, underpinned by robust governance structures and appropriate Member support
- To provide better & more effective engagement with stakeholders
- To improve partnership working (both with the Constabulary and externally)
- To be a community leader in policing & community safety

CHESHIRE POLICE AUTHORITY
STANDARDS COMMITTEE
11 AUGUST 2009

MEMBERSHIP

PURPOSE OF THE REPORT

1. To report on the current membership of the Standards Committee.

BACKGROUND

2. The membership of the Standards Committee comprises four members of the Police Authority together with three independent (lay) members. The Chairman of the Committee must be a lay Member.

AUTHORITY MEMBERS

3. At the annual meeting of the Authority on 7 April 2009 (Minute 12), the following Members of the Authority were appointed to the Standards Committee until the annual meeting in April 2010:-

- David Cargill
- Emily Lam
- Brian Maher
- Terry Savage

INDEPENDENT (LAY) MEMBERS

4. Following the retirement of the former Chairman, John Wilding, a new lay member was appointed to the Committee with effect from 16 July 2009. The lay membership of the Committee is now as follows:-

- Harry Mawdsley
- Helen Waller
- Darren Willetts

5. The terms of appointment for the above three lay members expires on 15 July 2013.

RESOLVED:

That the report be noted.

MARK SELLWOOD
CHIEF EXECUTIVE & MONITORING OFFICER



CHESHIRE POLICE AUTHORITY

STANDARDS COMMITTEE

MINUTES OF A MEETING HELD ON 8 DECEMBER 2008 IN THE POLICE AUTHORITY CONFERENCE ROOM, CONSTABULARY HEADQUARTERS, WINSFORD

Present: J Wilding (*Chairman*)
 D Cargill
 E Lam
 B Maher

T Savage
 H Waller
 D Willetts

Authority Officer:
 D Taylor, Deputy Chief Executive

12. MINUTES

RESOLVED:

That the Minutes of the meeting held on 18 November 2008 be confirmed as a correct record.

13. MEMBERSHIP

The Deputy Chief Executive reported on the membership of the Standards Committee following the recent selection process for independent members.

RESOLVED:

That the membership of the Committee, be noted.

14. GOVERNANCE ISSUES

The Deputy Chief Executive provided an update on governance issues including the maintenance of the Members' Registers of Interests and Gifts & Hospitality; the collaborative work with other authorities in the North West on proposed standards training and the creation of a pool of independent members; feedback from the Annual Assembly of Standards Committee held on 13 and 14 October; the reporting of complaints statistics from the Standards Board of England; and sought dates for meetings of the Committee in 2009.

RESOLVED: That

- (1) the report be noted;
- (2) the three independent members of the Standards Committee agree to be part of the North West police authorities 'pool' of independent members; and

- (3) the Standards Committee meetings for 2009 be held on 11 June and 10 December, both commencing at 9.30am.

15. CODE OF CONDUCT: CONSULTATION

The Deputy Chief Executive introduced a report setting out the consultation on the Code of Conduct for local authority members and employees that the Department of Communities and Local Government (DCLG) was currently consulting on. It was reported that the consultation was looking to clarify the application of the Members code when acting in a non-official capacity, and was also seeking views on the proposed introduction of a model code of conduct for employees.

Members considered the draft response to the consultation which had been circulated under separate cover and raised a number of points and comments for inclusion into the formal response. It was noted that a Police Staff Council Standards for Professional Behaviour had recently been adopted for police staff and that as a result, no further comments would be submitted on the staff code of conduct element of the consultation.

RESOLVED: That

- (1) the DCLG consultation, be noted;
- (2) the draft response be amended to reflect the Committee's comments and the Chief Executive & Monitoring Officer be authorised to submit the final response; and
- (3) the adoption of the Police Staff Council's standards for police staff be supported and the DCLG be advised accordingly.

16. URGENT BUSINESS: INFORMAL RESOLUTION OF COMPLAINT

RESOLVED:

That the item of urgent business be considered in the absence of the press and public.

17. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, as applied by the Police Act 1996, and as amended, the press and public be excluded from the meeting for the item of business listed below on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act in the paragraph indicated:-

<i>Item</i>	<i>Paragraph</i>
Urgent Business: Informal Resolution of Complaint	(1) Information relating to an individual

18. URGENT BUSINESS: INFORMAL RESOLUTION OF COMPLAINT

The Chairman agreed that this item of business be considered as an urgent item of business as it was necessary to endorse the approach taken without delay.

The Deputy Chief Executive presented the report which set out the background to the formal resolution of a complaint against a Member of the Authority.

RESOLVED:

That the report be noted.

Duration of Meeting: The meeting commenced at 2.00pm and concluded at 3.35pm.

CHESHIRE POLICE AUTHORITY
STANDARDS COMMITTEE
11 AUGUST 2009

REGIONAL STANDARDS TRAINING: KEY ISSUES & FEEDBACK

PURPOSE OF THE REPORT

1. To provide some feedback on the key issues raised during the recent regional standards training session.

BACKGROUND

2. Following the identification of the need for standards training, particularly in the light of the new lay members being appointed to the Committee in Cheshire, a regional training event for Standards Committee members and officers was held at County Hall in Preston on 16 June 2009.
3. 22 Members and officers from the five North West police authorities' Standards Committees attended the event. Cheshire's Standards Committee was represented by the three lay Members (and the now retired Chairman), together with one Authority member. The session was led by Beryl Heath, a solicitor for over 25 years, with extensive experience in the public sector, during which time she has advised both Lancashire and Merseyside police authorities.

KEY ISSUES

4. The training session highlighted the differing roles of Standards Committees just within the North West, and that some Committees had far greater roles than the Committee in Cheshire currently has.
5. The training covered a number of areas including the Code of Conduct: bias and pre-determination; the role of the Standards Committee in promoting and maintaining high standards; and the local assessment of complaints, followed by a small workshop to discuss some cases facing Standards Committees.
6. In terms of the training in relation to Standards Committees, it was emphasised that the Committee has a key role in creating a sense of ethical well being within the Authority; being a leader in standards of conduct; should be at the heart of the standards framework; and has a key role in creating an ethical organisation and setting an example.
7. Following the training session, a report was prepared for the Authority on ways in which the role of the Committee could be enhanced, and this is set out in more detail at agenda item 6.

8. Those Members present at the training session may wish to feed back their views on the training at the meeting.

FEEDBACK

9. As part of the feedback session from the training, a questionnaire was sent to all delegates, of which 11 were returned. A brief summary of that feedback is attached at Appendix 1. A number of delegates expressed their satisfaction with the event and it has already been proposed that a similar event be held next year.

CONCLUSION

10. The training event proved to be a worthwhile event which not only allowed a discussion around best practice in the region, but also gave members a greater insight into how the role of the Committee can be better utilised.

RECOMMENDED: That

- (1) the report be noted; and
- (2) the Committee indicate its support for an annual regional training event

MARK SELLWOOD
CHIEF EXECUTIVE & MONITORING OFFICER

NORTH WEST POLICE AUTHORITIES STANDARDS TRAINING SESSION
16 JUNE 2009: FEEDBACK FROM ATTENDEES.

- Feedback was received from 10 attendees and was very positive. 6 attendees described the session as 'very useful', 3 described the session as 'useful' and 1 described it as 'fair' (this attendee did acknowledge that they had experience in the area and had viewed the session as a 'refresher'). When asked, all of the attendees considered that the content of the course met their requirements.
- Attendees specifically mentioned finding the section on 'Promoting and Maintaining High Standards', the context around recent developments in relation to Standards Boards, the section that related specifically to Police Authorities, and the interactive session where the Authorities worked with their respective colleagues to discuss the scenarios as the most interesting / useful (this was specifically mentioned by 7 attendees).
- 3 attendees felt that the section on the Code of Conduct could be improved. It was recommended that this could perhaps be done by allowing for more discussion with attendees and explanation around the different provisions.
- When asked for recommendations for improvements, the feedback was based on the practicalities of running the session rather than content. These included more practical work and opportunities for interaction for the attendees and better sound!
- A number of attendees voiced some confusion over the role of one of the delegates and felt that their input was at times not helpful. In this instance, they felt that restricting comments from certain individuals would have helped.
- One attendee stated they would be keen to re-attend the course when the new code is out. Another praised Beryl's presentation style, describing her as "a well informed presenter who avoided making value judgements", adding that they found the event most worthwhile.

CHESHIRE POLICE AUTHORITY
STANDARDS COMMITTEE
11 AUGUST 2009

ENHANCED ROLE FOR THE STANDARDS COMMITTEE

PURPOSE OF THE REPORT

1. To present a series of proposals for enhancing the role of the Authority's Standards Committee and for better promotion of the standards and ethics agenda amongst Members of the Authority

BACKGROUND

2. The Authority, along with all public authorities, is required by law to have a Standards Committee, whose primary role is to promote high standards of ethical behaviour by developing, maintaining and monitoring the Code of Conduct for Members of the Authority. Given the recent furore over MPs' expenses, and the inevitable increased interest from both the press and public into public standards, now is an opportune time to review how the Authority's ethical standards are scrutinised.
3. The Authority has traditionally had a very reactive Standards Committee, which has responded only when ethical issues or concerns have been raised. Given that the Committee has a truly independent membership, where three of the seven members are 'lay' members who are appointed from the community and are fully independent of the membership of the Authority, consideration needs to be given as to how this independent element can be better utilised to ensure that the transparency of the Authority's processes is better highlighted.
4. The regional training event on 16 June 2009 raised a number of interesting issues for Standards Committees and authorities to consider. It is clear that there is a real opportunity for the Committee to take a more pro-active role in the ethics agenda and set out below are a number of suggestions about how both the role of that Committee, and the wider ethics agenda within the Authority could be better promoted.
5. This issue was discussed with Members of the Authority on 20 July at its Discussion Day, and the proposals which follow received their support.

CURRENT TERMS OF REFERENCE

6. The terms of reference of the Committee are currently as follows:-

Contact Officer: Damon Taylor, Deputy Chief Executive
Tel No: 01244 614003

- (1) Discharge the Authority's functions under Part 3 of the Local Government Act 2000
- (2) Consider and grant, or otherwise, dispensations in respect of Members' Interests in accordance with the relevant regulations
- (3) Promote high standards of ethical behaviour by developing, maintaining and monitoring the Code of Conduct for Members of the Authority
- (4) Advise the Authority on the adoption or revision of the Code of Conduct
- (5) Ensure that Members receive advice as appropriate on the Code of Conduct
- (6) Issue advice to Members on the treatment of personal interests and on conduct matters generally
- (7) Ensure that the Authority maintains appropriate links with the Standards Board for England and the Commission for Local Administration in England (Ombudsman)
- (8) Support the Chief Executive as Monitoring Officer and the Treasurer, in the performance of their duties
- (9) To shortlist and appoint independent members.

WIDER ROLE FOR THE STANDARDS COMMITTEE

7. The Local Government Act 2000 allows authorities to give their standards committee extra functions to give them a wider governance role. The Committee already undertakes the appointment of lay members to the Standards Committee, something which the guidance suggests, but given the current interest in standards and ethics in public life, there is clearly the opportunity for the Committee to have a more enhanced and pro-active role. The following sets out some proposals ideas which were supported by Authority Members at the Discussion Day on 20 July 2009 which the Committee may now wish to consider:-
 - A consultation and advisory role in developing and reviewing the Authority's ethical frameworks. This could include commenting on, for example, the member/officer protocol; corporate code of governance; or confidential reporting policy.
 - An annual review of Members expenses and allowances, with an opportunity to comment on any proposed changes to the scheme;
 - The co-ordination, promotion and involvement in training of Authority members on standards and ethics issues, particularly relevant to the Code of Conduct

- Monitoring compliance with regards to Members attendance at mandatory training; completion of statutory returns (eg Members' interests); attendance at meetings

STANDARDS COMMITTEE LIAISON WITH THE AUTHORITY

8. In addition to the above, Members of the Authority also indicated its support for ways in which the Standards Committee could better involve itself in the work of the Authority to ensure that the ethics agenda is embedded throughout the organisation. To ensure that the message around the ethics agenda is better disseminated, Members have already started to receive the Standards Board for England quarterly bulletin on standards issues, and Members also supported the following proposals:-

- Training on standards issues for Authority members with members of the Standards Committee;
- The independent chairman of the Standards Committee to have a standing invite to the Audit Committee (as this is the Committee within the Authority's governance structure which is most closely aligned to ethics issues);
- Lay members of the Standards Committee to receive, for information, the agendas of the Police Authority and Audit Committee
- Where appropriate, lay members of the Standards Committee to be involved in training sessions being arranged for Members to increase their knowledge of the organisation

CONCLUSION

9. Standards in public life are currently very high in the public's mind and it is therefore important that the Standards Committee plays a more proactive role in ensuring good standards and ethics in the Authority. Subject to the Committee's agreement, a workplan will now be developed to ensure that the new role for the Committee can be taken forward without delay, and a report will be prepared for the Authority on 29 September to seek amendments to the Committee's terms of reference.

RECOMMENDED:

That the Committee consider its enhanced role, as set out in paragraphs 7 & 8

MARK SELLWOOD
CHIEF EXECUTIVE & MONITORING OFFICER