

METROPOLITAN BOROUGH OF WIRRAL

STANDARDS COMMITTEE - 25 MARCH 2004

REPORT OF THE BOROUGH SOLICITOR AND SECRETARY

CORPORATE GOVERNANCE REVIEW

1. Executive Summary

Towards the end of last year the Audit Commission reviewed, as part of their Corporate Governance Review gifts and hospitality within the Authority. They produced a draft report towards the end of last year which was agreed in February and I have produced an Action Plan. The Committee are requested to discuss the report and approve the action and time scales contained within the Action Plan.

2. Background

- 2.1 The Audit Commission produced a report towards the end of last year into elements of corporate governance. Specifically the report looked at gifts and hospitality and interests as well as compliance with Part 3 of the Local Government Act 2000 around the role of the Standards Committee. The Report and Action Plan are attached to this report and Ian Myles, the Council's Audit Manager will be attending at the Committee to present the report along with the Monitoring Officer.
- 2.2 Members of the Standards Committee will see that the Action Plan raises specific tasks, many of which can come to this committee for approval. I would also propose that this committee monitor the implementation of the proposed Action Plan.
- 2.3 The Report and Action Plan identify a number of questions for the Standards Committee and, indeed, the Council. Specifically, these relate to whether the committee should have a broader role and whether an independent Chair should be appointed. It is a matter for the Council as a whole as to who the Chair should be, but it may well be that the committee wish to discuss this
- 2.4 It is recommended that the committee discuss the Report and Action Plan, and comment in particular on the points contained in the Action Plan and agree to monitor its implementation.

3. **Financial and Staffing Implications**

None.

4. **Local Member Support**

This report affects the whole borough.

5. **Other Implications**

There are no implications arising out of this report in terms of equal opportunities, planning, community safety, human rights and Local Agenda 21.

6. **Background Papers**

None other than published papers

7. **Recommendation**

JOHANNA MILLER

Borough Solicitor
and Secretary

JEM/LW.
18 March 2004

Corporate Governance Review

Wirral Metropolitan Borough Council

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Reference:	WI019-08-2003 – Draft Version 1
Date:	November 2003

audit 2002/2003

SUMMARY REPORT

Introduction

The Local Government Act 2000 increased the emphasis on member standards and of conduct in public life. The regulation of member interests, the findings of Nolan Report and the newly established Standards Board are all factors in the current emphasis on local government to have strong ethical governance arrangements in place.

Part III of the Act imposes new duties on local authorities to put in place rigorous mechanisms for improving the standards of conduct of public office holders. To underpin standards of conduct within local government, the Act provides for a new ethical framework including clear rules and procedures for tackling infringements. Local authorities now have a positive duty to comply with the Act and must:

- . take lead responsibility for their own standards (Standards Committees should have been established by 26 May 2002)
- . adopt a Statutory Code of Conduct for their councillors which requires compliance with high ethical standards
- . adopt a Statutory Code of Conduct for officers (though this is yet to be published)
- . promote and maintain ethical standards across the authority.

High ethical standards are a cornerstone of good governance. One of the common aspects of governance failures is not the absence of frameworks, controls and arrangements, but the absence of appropriate behaviours and values amongst Members and senior officers to ensure that these frameworks are embedded in the culture of the organisation.

Setting high ethical standards is also an important building block for authorities who want to develop their community leadership role. As authorities become involved in increasingly complex partnership arrangements, maintaining high standards will be crucial to maintaining effective partnerships.

This audit review is aimed at helping authorities set high ethical standards by assessing the adequacy of arrangements in place to achieve this. The Review examines the arrangements in place for both members and officers.

Scope and objectives

The review was carried out in two parts.

The first part of the review focused on the procedures and arrangements in place at the Council for recording gifts and hospitality offered and accepted by

members and officers of the Council and for members' declaration of interests.
This involved:

- . visiting a number of departments to examine the guidance provided to staff for declaring and recording gifts and hospitality
- . a review of departmental gifts and hospitality registers to gauge the completeness, and comment on the consistency of the details recorded. Reference is made to our review of departmental gifts and hospitality registers as at September 2002 and April 2003
- . a review of the guidance issued to members for recording and declaring gifts and hospitality. We also reviewed the members' gifts and hospitality register to check for compliance with the guidance
- . a review of members' declaration of interests forms. Further checks were made to ensure completeness and compliance with legislation.

The work outlined above was carried out on the Council's arrangements to 30 April 2003.

Internal Audit has recently completed a review of the Authority's arrangements for declaration of officer interests. We have reviewed internal audit's work and provided appropriate comments.

The second part of the review involved completion of an 'ethics diagnostic'. This review provides an independent assessment of a local authority's:

- . compliance arrangements for Part III of the Act, including standards committees, members code of conduct and disclosure of member interests
- . arrangements for positively promoting ethical standards across the council, including users, officers and partner bodies
- . local protocols and procedures for carrying out investigations (to be up-dated following OPDM/standards board guidance on local investigations)
- . monitoring officer arrangements for working with the standards committee.

Summary findings

Corporate Governance Arrangements - Declaration of Interests, Gifts and Hospitality

Member's declaration of interests

From our review and the information available to us we are satisfied that all members have completed their declaration of interest forms on time and that these forms were complete. The Authority's arrangements where members formally declare personal and prejudicial interests at the beginning of each committee meeting and recording the outcome, is considered good practice. The present arrangements could be strengthened by creating an electronic version of the register and circulating to relevant committee services clerks and

committee chairs for reference purposes.

The new ethical standards framework requires members' Declaration of Interest forms to be completed and signed by all current members within 2 months of them being elected. Our review found full compliance with this requirement. The Authority maintains a register of members' declaration of interest forms although the format is not considered 'user friendly'. The register consists of the original declaration forms collated alphabetically in a lever arch file. The register is not widely circulated but is available on request to relevant officers, Council members and members of the public. The present arrangements could be strengthened by creating an electronic version of the register and circulating to relevant committee services clerks and committee chairs for reference purposes.

Our review of the members' declaration of interest forms found that in general terms most forms were complete. However, a number of forms contained sections which were found to be blank. Without querying the forms with individual members, it is not known whether the 'blank' sections relate to 'nil' or not applicable responses or that members were uncertain as to the information required. There is no evidence that officers have queried forms or that forms have been returned to members where sections have not been completed. Additionally, the declaration of interests form does not require members to confirm that they have received the Code of Conduct/member's handbook and read it.

As part of our review we checked member declaration details with information held in the public domain. Specifically, we used a database which contains electoral register, directory enquiries and limited companies house information to identify whether members are involved with any local or national company in the capacity of a director of that company. We found a number of instances where members are or were involved with local company in the capacity of company director. Further checks found that either the member had declared this interest on their Declaration form or members have resigned their position within the company as at May 2002, when the latest set of declaration forms were completed. From our review and the information available to us we are satisfied that members have made an appropriate declaration of interests.

Members are required to declare at the beginning of each committee meeting whether they have any personal or prejudicial interest in any agenda item. Members responses are formally recorded in the minutes to the committee meeting. However, there is no structured approach for comparing member declarations with the register to ensure all relevant declarations are made and that the register is complete. A revision to the form of the register and the details

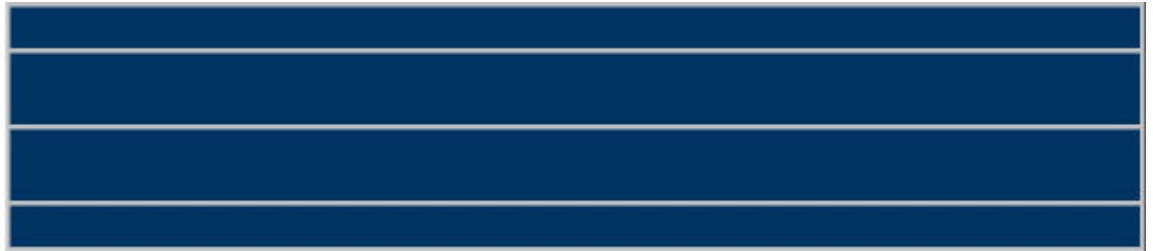
recorded would assist such a review.

Members' gifts and hospitality

The Constitution provides members with the policy and procedures governing the acceptance and registration of gifts and hospitality. A members' gifts and hospitality register is maintained, however, the arrangements and actual details being recorded need to be strengthened to include, amongst other things, items offered but declined.

The Authority has prepared a new constitution resulting from the new ethical standards framework. Incorporated within this document is a Code of Conduct for members, which provides guidance to members on the policy and procedures for the declaration of interests and arrangements for accepting and registering gifts and hospitality. Our review found that the member's register of gifts and hospitality exists and is maintained by committee services staff. However, a review of the register found that:

- . there were only four entries recording gifts and hospitality received during the 12 month period to 31 March 2003, with the latest entry dated December 2002. This low level of entries suggests that potentially not all offers of gifts and hospitality are being recorded, as required by the guidance
- . details recorded in the register were date, recipient (councillor) and a brief description of the gift or hospitality received
- . there is no record of gifts and hospitality offered, but declined by members, or an estimate of the value of the gifts and hospitality received or offered
- . there is no facility to record whether the offer of the gift or hospitality is seeking to secure work with the council
- . there is no evidence of review of the register by members or senior officers.



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- details recorded in the register were date, recipient (councillor) and a brief description of the gift or hospitality received
- there is no record of gifts and hospitality offered, but declined by members, or an estimate of the value of the gifts and hospitality received or offered
- there is no facility to record whether the offer of the gift or hospitality is seeking to secure work with the council
- there is no evidence of review of the register by members or senior officers.

There is therefore a need to issue periodic reminders to members of the arrangements for recording gifts and hospitality. Other recommendations, relevant to both officers and members, are detailed at the end of the following section.

Officer's gifts and hospitality

There is a need to strengthen the Departmental arrangements for recording gifts and hospitality for officers. This will help officers to comply with good practice arrangements. Departments are responsible for maintaining their own gifts and

hospitality registers. Generally, departmental arrangements are similar, consisting of a log or register to record basic details of gifts and hospitality received. There is scope to improve communication with officers and arrangements to ensure compliance with requirements. There are instances where annual reminders are not issued by all service departments. There is no guidance at corporate or departmental level for officers on the acceptance of sponsorship. Departmental procedures would be strengthened if clear corporate guidance is issued detailing the format of registers and a protocol for reminding officers of their declaration responsibilities.

Section 5 of the Constitution relates to the officers' Code of Conduct. Our review found that this section has still to be completed and as such there is no corporate guidance available to officers on accepting and registering gifts and hospitality. We understand that Authority staff are aware of this and propose to issue corporate guidance soon.

Our review involved visiting a number of departments to examine the documentation provided to staff and to examine the gifts and hospitality register. In general terms we found that all departments visited maintained an up to date gifts and hospitality register. However, we found the guidance available to officers, details recorded in the registers and procedures to remind staff of their registration requirements varied within the departments. Specifically:

. All departments visited stated that they had procedures for the acceptance of gifts and hospitality. In some cases guidance was attached to the gifts and hospitality register. However, in other cases these procedures could not be located at the time of the visit. Guidance was not included on any departmental intranet or website pages, although we understand there are nominated officers within each department where advice and guidance is available.

. Departmental staff receive guidance on the acceptance of gifts and hospitality as part of their induction training. In addition, the departments visited during this review indicate that staff are generally reminded of the gifts and hospitality arrangements at least annually through departmental meetings and/or newsletters. However, in at least one department visited there was no evidence that staff had received any reminders on gifts and hospitality in the past 18 months. Generally, where reminders were issued through departmental meetings and briefings we found that there is no mechanism or check to ensure that the same message is being presented and that all staff receive the message. We could not find any corporate guidelines to the frequency or method of communication to remind staff of gifts and hospitality procedures.

. Guidance about the types of gifts and hospitality which are acceptable and unacceptable is not clearly documented and conveyed to all staff. All the departments visited stated that it was their 'policy' to advise staff that it is unacceptable to accept gifts and hospitality, however, entries in the registers indicate that gifts and hospitality have been accepted. Departmental 'policies' for accepting gifts and hospitality should be clarified and guidance provided of acceptable and unacceptable gifts and hospitality.

. Registers record receipt of gifts and hospitality but do not always record all offers of gifts and hospitality. It is suggested good practice to record all offers of gifts and hospitality and to state instances where this has been declined.

. Registers in the Departments visited were all found to recorded the following details: -the name of the officer receiving the offer of the gift or hospitality -brief description of the gift/hospitality -date of the offer.

However, our visits found that the registers: -seldom record the value of gifts and hospitality offered or accepted or offered -do not always record whether the gift/hospitality was accepted or declined -do not always indicate review by senior officers and/or there is no evidence of this

review.

. There is no guidance issued to departments or by departments on commercial

sponsorship.

There is no central record of all commercial sponsorship.

Recommendations – members and officers gifts and hospitality

R4 Periodically remind officers and members of the arrangements to record gifts and hospitality.

R5 Issue corporate guidance to standardise the information recorded in officer and member gifts and hospitality registers. Gifts and hospitality register to record the following details: The name of the officer/member receiving the offer of the gift or hospitality a record of all gifts and hospitality offered but declined Brief description of the gift/hospitality Date of the offer the value of gifts and hospitality offered of accepted or offered whether the gift/hospitality was accepted or declined details of a review by senior officers whether the donor is seeking work from the Council.

R6 Issue guidance to members and officers on the offer and acceptance of sponsorship and corporate sponsorship.

R7 Standardise the approach by which officers are reminded of their responsibility to record gifts and hospitality.

Officer's declaration of interests

On the basis of our review, we are satisfied that Internal Audit's work can be relied upon. There is scope for the Authority to improve its arrangements for recording and monitoring officer's declaration of interests.

Our work in this area involved reviewing Internal Audit's work on officer declaration and conflict of interests. On the basis of our review, we are satisfied Internal Audit's work can be relied upon. The main internal audit findings from their review are as follows:

- . the procedures for conflict of interest have not been reviewed since they were agreed by the Personnel Sub Committee in March 1986
- . employees are not required to declare interests on starting employment
- . management checks to ensure the maintenance of registers are not carried out
- . although guidance to staff is held on the Personnel and Policy intranet site not all staff are fully aware of the need to complete a declaration form or the purpose for having to do so
- . annual reminders are not issued to all officers to disclose conflicts of interests
- . registers are largely held in manual formats
- . managers do not sign and date the completed form to indicate they are aware of any potential conflict

managers do not undertake reviews of work to confirm there are no risks of an interest influencing decisions made.

It is clear from Internal Audit's findings that the Authority needs to strengthen its arrangements for declaring, recording and monitoring officer's declaration and conflict of interests. Internal Audit have made a number of recommendations following their findings. We understand that these recommendations are in the process of being agreed with Chief Officers. We will be monitoring the Authority's response to these findings and implementation of the agreed recommendations.

Corporate Governance Arrangements – Ethical Standards

Introduction

Our review looked at the Authority's governance and ethical standards adopted by the Council following the introduction of the Local Government Act 2000. The review covered such areas as the Authority's Standards Committee, Members Code of Conduct and compliance with the Code of Conduct.

Standards Committee

The Authority established its Standards Committee within the required timescale and the committee meets periodically. The composition of the standards committee with only one independent member means the committee is currently 'in quorate'. The Authority should appoint new independent members as a matter of urgency. There is scope to improve the effectiveness and operation of the standards committee by strengthening its terms of reference and encouraging it to be proactive in promoting and monitoring compliance with ethical standard issues.

Local Authority's were required to establish a Standards Committee by May 2002. Wirral MBC complied with this requirement and set up its Standard Committee in February 2001. Legislation states that Standards Committee membership should:

- be proportionate to political representation
- consist of at least 3 members one of whom must be independent
- be no more that one executive member and this member should not be chair
- include at least 25% independents if there are more that 3 members.

The membership of the Committee consists of 8 people: 6 members from the different political parties and 2 lay, independent members. Statute requires that at least 25% of each committee meeting must be made up of lay members. Following the resignation of one lay member in March 2003, the Standards Committee is currently meeting 'in quorate', and as such any decision taken by the Standards Committee cannot be legally recognised. The Standards Committee has met on two occasions since the resignation of the independent member and on both occasions the minutes recognised that the meetings were in quorate. A

number of agenda items were voted upon and agreed.

Examples of the agenda items considered whilst the committee was in quorate was:

- . to recommend that the Council adopts the procedures contained in the Standards Board guidance in relation to local determination of complaints under s66 of the Local Authority Act 2000
- . that training arrangements be arranged with the Merseyside Districts in relation to the procedure for dealing with determinations
- . to consider the annual report of the Local Government Ombudsman. The report was noted
- . to appoint the chair and vice chair of the Standards Committee for the forthcoming year.

The nature of these agenda items was not viewed as 'significant' by the Monitoring Officer. However, officers recognised that they still needed to be ratified to be valid and this has been actioned by full Council.

The Monitoring Officer is aware of the membership position of the Standards committee and is in the process of advertising for a further two lay, independent members.

The role of the independent member is to act impartially. The Standards Committee in its meeting on 3 December 2001, requested that a Code of Conduct for lay members be drawn up. We understand that this code of conduct is still to be completed. It is suggested good practice to clarify the role and responsibilities of the independent member. Such a document could satisfy this requirement.

It is considered good practice to appoint an independent chair of the standards committee therefore reinforcing the independence of the Committee. The present chair of the committee is a member of the Labour party. We recommend that the Council considers appointing an independent chair of the standards committee to follow suggested good practice.

Authorities have some discretion with regard to the terms of reference for the standards committee. In establishing the Council's Constitution, Council members did consider each of the discretionary items that could be included within the terms of reference for the Standards Committee. The current terms of reference comply with the legislation.

A review of standards committee minutes and agenda indicate, however, that their work to date has focused on general, non ethical type issues, such as a review of the Authority's complaints procedure and agreeing a protocol between members and officers. The role and effectiveness of the Committee in strengthening the Authority's governance arrangements and ethical framework could therefore be enhanced by the committee, taking a more proactive role in certain areas. For example, within its existing terms of reference, the committee could take responsibility for:

- . an overview of internal and external audit work in connection with promoting high ethical standards across the council
- . overview of the whistle-blowing policy
- . completing an assessment of the standards of conduct within the council.
- . publicising guidance/case rulings etc, published by the Standards Board or providing guidance promoting high ethical standards of behaviour amongst members
- . proactively communicating the themes of the code of conduct to members,

external stakeholders or partners.

Recommendations – Standards Committee

Members Code of Conduct

Our review did not find issues of non-compliance with the code of Conduct. Suggested good practice has been adopted.

A member's code of conduct has been prepared and the content follows the model suggested by Central Government. A copy of the code of conduct is incorporated in the member's handbook with each member receiving a copy.

Compliance with the Code of Conduct

Our review did not find issues on non-compliance with the code of Conduct.

Our review did not find issues on non-compliance with the code of Conduct. We found that the Monitoring Officer is aware of her role in ensuring compliance with the code of conduct. We found that a register of interests and a register of gifts and hospitality has been set up. There were no instances of non-compliance with the Code of Conduct that warranted referral to the standards board or the Authority's standards committee. From our review we were uncertain whether the Authority has given thought to and documented the role of the monitoring officer in any compliance investigation.

The way forward

A number of recommendations have been made which will strengthen the Authority's procedures and arrangements. These recommendations are detailed in the body of the report above and will be summarised in a subsequent action plan.

The checklist in Appendix 1 provides the detail supporting the current review of arrangements in relation to gifts and hospitality for officers and Members.

The 'Ethics Diagnostic' in Appendix 2 provides the detail supporting the current review of Ethical Standards.

Status of our reports to the Council

Our reports are prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission. Reports are prepared by appointed auditors and addressed to Members or officers. They are prepared for the sole use of the audited body, and no responsibility is taken by auditors to any Member or officer in their individual capacity, or to any third party.

Gifts and Hospitality checklist

		Yes	No	In some instances	Comments
SECTION C1 GIFTS AND HOSPITALITY – MEMBERS					
53	Are there rules governing the offering and acceptance of gifts or hospitality?	v			Rules governing gifts and hospitality are detailed in the Member's code of Conduct and Member's Handbook.
54	Is there a maximum value that can be accepted? (if yes please give value). (A member must within 28 days of receiving any gift or hospitality over the value of £25, provide written notification to the authority's monitoring officer of the existence and nature of that gift or hospitality).		v		The rules state that gifts and hospitality over £25 should be recorded. There is no maximum value stated.
55	Has the Council defined what gifts and hospitality are acceptable and what are not?		v		
56	Do the rules provide for any gift not specified in the list to be referred to a Chief Officer?		v		
57	Is there a register of gifts and hospitality?	v			
58	Must all offers and acceptance be registers?	v			

59	Is there a de-minimus amount, which need not be registers?		v		
60	Does the register include the following details:				
61	Name of sponsor?	v			
62	Off or sponsorship/gift/hospitality?		v		Register only records the gifts and hospitality received.

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63	Name of member?	v			
		Yes	No	In some instances	Comments
SECTION C1 GIFTS AND HOSPITALITY – MEMBERS					
64	Details of any 'work' the sponsor is interested in securing?		v		
65	Value of the gift/hospitality?		v		
66	Brief description of the gift/hospitality?	v			
67	Details of where the offer was accepted?		v		
68	Is the register reviewed by a senior officer?		v		There is no evidence of review by senior a officer.
69	Are there rules in place governing the participation by members in quasi-official events?		v		

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		Yes	No	In some instances	Comments
SECTION C2 GIFTS AND HOSPITALITY – MEMBERS					
70	What was the extent of gifts and hospitality during 2002/2003:				
71	Leader or equivalent?				Nil disclosure.
72	Deputy Leader or equivalent?				Nil disclosure.
73	Chair of Finance or Equivalent?				Nil disclosure.
74	Chair of P&R or equivalent?				Nil disclosure.
75	Chair of Education or equivalent?				Nil disclosure.
76	Chair of Social Services or equivalent?				Nil disclosure.
77	Chair of Housing or equivalent?				Nil disclosure.
78	Chair of Planning or equivalent?				Nil disclosure.
79	Chair of Leisure or equivalent?				Nil disclosure.
80	Chair of Technical Services or equivalent?				Nil disclosure.
81	Chair of other committees.				Nil disclosure.
82	Other Liberal democrat back bench spokesperson.				Picture.
83	Other				

		Yes	No	In some instances	Comments
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SECTION D1 GIFTS AND HOSPITALITY – OFFICERS

84	Are there rules governing the acceptance of gifts or hospitality?	v			These are departmental rules and whilst generally similar, corporate guidelines would standardise the procedures for the acceptance of gifts and hospitality.
85	Is there a maximum value that can be accepted? (If yes please give value).		v		
86	Has the Council defined what gifts and hospitality are acceptable and what are not?		v		
87	Do the rules provide for any gift not specified in the list to be referred to a chief officer?		v		
88	Is there a register of gifts and hospitality?	v			
89	Must all offers and acceptance be registers?			v	The register of gifts and hospitality for officer's generally records gifts and hospitality received only. Some departments do record gifts and hospitality offered but not accepted although it is not clear whether this relates to all
90	Is there a de-minimus amount, which need not be registers? (If yes please give value).		v		
91	Is there a register(s) covering all departments?	v			
92	Does the register cover all staff groups?	v			
93	Is the register reviewed by a senior officer?			v	Registers are reviewed by internal audit over a three year period. There are no annual reviews by a senior officer.
94	Does the register include the following details:				
95	Name of donor?			v	
96	Name of officer?	v			
97	Details of any 'work' the donor is interested in		v		

	securing?				
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		Yes	No	In some instances	Comments
SECTION D1 GIFTS AND HOSPITALITY					
98	Value of the gift/hospitality?			v	
99	Brief description of the gift/hospitality?	v			
100	Details of whether the offer was accepted?	v			
101	Are there rules in place governing the participation by officers in quasi-official or social events?		v		
102	Is a record maintained of ALL commercial sponsorship maintained?		v		Department records of all commercial sponsorships are not collated centrally.
103	Does it include:				
104	Name of sponsor?		v		No central record maintained.
105	Offer of sponsorship?		v		
106	Whether accepted?		v		
107	Accepting officer?		v		
108	Does the authority require that acceptance of commercial sponsorship is approved by a senior officer?		v		

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		Comments
SECTION D2 GIFTS AND HOSPITALITY		
109	What was the extent of gifts and hospitality in 2001/2002 and 2002/2003:	
110	All Chief Officers?	
111	Chief Executive or equivalent?	Lunches valued at £75 in 2001/2002. Visit to Texas. Five dinners.
112	Director of Finance/Corporate Officer with S151 duties?	Numerous lunches. No other gifts and hospitality.
113	Director of Education or equivalent?	No entries in register for 2001/2002.
114	Director of Social Services or equivalent?	No records can be obtained.
115	Director of Housing or equivalent?	Two calendars, one diary. One Christmas lunch from firm of solicitors.
116	Director of Planning or equivalent?	One lunch.
117	Director of Legal Services or equivalent?	No entries in register.
118	Director of Technical Services or equivalent?	
119	Other directors	
120	Other directors	
121	Other directors	
122	Other directors	
123	All key staff with procurement/contracting involvement?	

Ethics diagnostic

Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
<p>Standards Committees – Compliance Standards Committees have to be established by each authority. They do not have to be politically proportionate but this is recommended. There are a number of rules and regulations about governing their establishment. These are outlined below.</p>				
<p>Is there an established Standards Committee?</p>		<p>All relevant authorities should have established a Standards Committee by 26/5/02.</p>	<p>Yes – first meeting was 7 February 2001. Meetings scheduled for 3 times a day but can meet ad-hoc as and necessary.</p>	<p>Timetable for introduction met – satisfactory</p>

Does the membership comply with the legislation?	Section 53 Chapter 1, Part 3 of the Local Government Act 2000 states that the Standards Committee must have a minimum of 3 members of whom at least one must be independent. If there are more than three members of the Standards Committee, at least 25% of them must be independent. There may be one Executive member appointment to the Standards Committee but this person may not be Chair. The Mayor or Leader may not be appointed to the Standards Committee.	Is the Standards Committee proportionate? (excluding independent members) This is not a requirement but is considered good practice. A key issue is that the Committee, as with quasi-judicial committees, should be apolitical. The Standards Board recommends that there are at least 2 independent members, so that if one can't attend, meetings are not cancelled because they are in-quorate.	Standards Committee comprises 8 people (6 councillors and 2 independent members). Note: Discussion with Harry Jones – committee clerk and review of standards committee minutes found: one independent member has quit the standards committee in 2003 with 6 cllr and 1 independent member the committee is 'in-quorate' as 25% needs to be independent members committee is seeking to appoint a further 2 new independent members	Need to appoint independent lay members as a matter of urgency. Recommendation required.
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			to overcome this issue.	
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Issue	Legislative references	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
If the council has town and parish local authorities, has at least one representative	Section 52, LGA 2000	It is good practice to have more than one parish councillor on the	Not applicable – no Town and Parish Council Authorities within the	Not applicable. Accept.

<p>been appointed on to the standards committee?</p> <p>Or see below</p> <p>(You may find that a sub committee of the standards committee has been established specifically for parishes)</p>		<p>standards committee. This limits issues around being quorate, and allows leeway if a complaint is made against that Member's own parish council.</p>	<p>Borough of Wirral. Confirmed through CAKE and discussion with Harry Jones – Head of Committee Services.</p>	
<p>Has the authority established a sub-committee to deal with parish issues?</p>	<p>Section 55, LGA 2000</p> <p>Councils must consult with parishes where this is proposed. At least one member must be an independent member.</p> <p>At least one member must be a member of a parish council. They are not subject to proportionality.</p>		<p>Not applicable – no Town and Parish Council Authorities within the Borough of Wirral. Confirmed through CAKE and discussion with Harry Jones – Head of Committee Services.</p>	<p>Not applicable. Accept.</p>

Issue	Legislative references	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
<p>How were independent members appointed?</p>	<p>Independent Standards Committee members should not:</p>	<p>Guidance from the Standards Board states</p>	<p>Review of the standards committee members and</p>	<p>Satisfactory – officers aware of requirements.</p>

	<p>have been a member or employee of the Council in the 5 years prior to appointment be a relative or close friend of any member or employee of the council.</p>	<p>that Local Authorities must advertise in at least one local paper and applicants should be asked to complete an application form. Also, there should be an open appointment process and the appointments should be approved by the majority of members. Council HR/Equality and diversity policies should be followed.</p>	<p>discussion with Harry Jones (committee services) indicates that independent members are 'independent' of the council or their employees.</p>	
Who chairs the Standards Committee?	Standards Committees can not be chaired by Executive members.	It is considered good practice to appoint an independent chair, therefore reinforcing the independence of the Committee.	Audit Committee is chaired by Freda Anderson who is a Lib Dem Member of the Authority. Confirmed by review of Council members and their roles and responsibilities that Freda Anderson is not an executive member.	The Authority is complying with legislation in not appointing an executive member as chair of the Standards Committee. However, we should recommend that the Authority review this and consider appointing an independent member as chair.

Issue	Legislative references	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Does the terms of reference for the Standards Committee include:	<p>Section 54 LGA 2000.</p> <p>This is the minimum it should include.</p>	<p>The ODPM guidance on Modular Constitutions for English Local Authorities</p>	<p>The Terms of Reference of the Standards Committee complies with legislation.</p>	<p>Initial work suggests the standard committee ToR complies with the Act. .</p>

<p>advising on the adoption of a local code which sets out the standards of conduct expected from members promoting and maintaining high standards of conduct within the council</p> <p>through assistance, advice and training monitoring the operation of the local code.</p>	<p><i>(Please note, this is strictly about compliance, we discuss carrying this out in practice below)</i></p>	<p>suggests that Local Authorities may arrange for their Standards Committees to exercise further functions according to local choice. These might include: overview of internal and external audit overview of the whistle-blowing policy overview of complaints handling and Ombudsman investigations and oversight of the constitution.</p>	<p>However, there is scope to develop and strengthened the role of the standards committee in terms of promoting ethical and governance issues. For example, the ToR states that is will 'advise' the Policy and resources committee. Discussion with Harry Jones (committee services) indicates that the Council no longer has a policy and resources committee. Additionally, further work in this area indicates that the ToR may need to be revised.</p>	<p>However, there is scope to develop and strengthened the role of the standards committee in terms of promoting ethical and governance issues. Terms of Reference should be reviewed and strengthened as required. See good practice comments.</p>
<p>Have the terms of reference for this committee been submitted to the Standards Board?</p>	<p>Section 53 LGA 2000</p>		<p>Yes.</p>	<p>Satisfactory.</p>

Issue	Legislative references	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
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Members Code of Conduct – compliance The Model Code of conduct sets out the minimum standards of conduct that members must observe. The local code of conduct must include all the compulsory provisions of the model code. There are two key provisions: Members should not do any thing which brings the council into disrepute Members should not misuse their official position to their own advantage or to the (dis)advantage of others. The Model code was laid before Parliament on 5 November 2001. All Local authorities were required to adopt the code within 6 months of this date (5th May 2002). If a Council has not adopted the code, the model code will automatically apply. However, all Councils must adopt the codes for themselves. All members and co-opted Members must sign up to the code within 2 months of it being adopted by their Council, or of their election to the Council. Failure to do so may result in Members being disqualified from being a Councillor. (Please see [www.](#) reference in summary above for full copies of the codes).

Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Has the Council adopted the Members Code of Conduct locally?	Section 52 LGA 2000 NB this includes co-opted members including pension fund committee cooptees where relevant.	The regulations only refer to co-opted Members with voting rights section 49(7), Part 2 of the Local Government Act 2000	Discussion with Harry Jones indicated that all members, including pension fund co-optees have adopted the member's code of conduct locally.	Accept – brief review of forms completed suggests this is satisfactory.
Have all Members signed up to the Code?	Section 52 LGA 2000 NB this includes co-opted members including of pension fund committees where relevant.	You should ask the Monitoring Officer to see evidence of this. Non-voting co-opted members are under no obligation to sign up, but it should be considered	Discussion with Harry Jones and review of signed forms has indicated that all members have signed up to the new code.	Satisfactory – Authority have complied with this requirement.

		good practice if they do.		
Has the Member code of conduct been tailored to local circumstances?	There are compulsory provisions within the code that cannot be altered, so you should check that the Council has complied with this.	The Standards Board have recommended against this, as they would like to see all councillors are judged by the same standards. Additionally, adding provisions needs careful consideration to ensure that other legislation e.g. human right, data protection are not breached. Also, all breaches of additional provisions would be subject to Standards Board scrutiny.	Discussion with Harry Jones and review of Code indicates that Wirral's Code is based on the model code forwarded by DETR, locally tailored for members to declare all gifts and hospitality received regardless of its value (i.e. including those under £25). Note the model Code suggests all gifts and hospitality over £25 should be declared.	Wirral's Code is based on the model code and complies with the compulsory provisions – Accept.

Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Does the local code place a positive duty on Members to: promote equality by not discriminating against others respect confidential information	The details of the codes of conducts can be found in Statutory Instruments 2001 No 3575 – 3578. (web link highlighted at start of this section) Note there are 4 codes for the following: Local authorities Parish local authorities		The local code of practice for members is based on the DETR model. A section under 'general duties' (page 4 of the code) states that 'members have a positive duty To comply with all the	Satisfactory – the code places a positive duty on members, as set out in the model code.

listen to the advice of the council's monitoring officer and chief finance officer where it relates to possible illegal decisions about spending inform the Standards Board if they reasonably believe another Member has broken the code.	Parks authorities Police authorities.		requirements listed in the issues column.	
Has the Council started to integrate this code into their diversity policies/schemes, their obligations under the DDA and the RRAA?		Evidence should be available thorough Monitoring Officer reports and relevant Council policies.		

Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Has the Council made the linkages between the Human Rights Act, the Freedom of Information Act and the Code of	Human Rights Act 1998 Freedom of Information Act 2000 Local Government Act 2000	See above.	The local code of conduct does not make any reference to the Freedom of Information Act or the Human Rights Act.	The Council should consider whether linkages are relevant and appropriate. Recommendation required – see report.

Conduct?				
Has the Council ensured that copies of the Code are available at an office of the council for inspection by the public at all reasonable hours? INCLUDING PARISHES	Section 51 LGA 2000		Yes – Code of Conduct is incorporated in the Council Constitution. Additionally, all libraries and one-stop shops within the Borough have copies of the Constitution available for public review. Additionally, the Authority's website and Intranet contain electronic versions of the constitution. Note: There are no parishes or Town Councils within the Borough	Satisfactory – the Authority comply with this requirement.
Has the council publicised through at least one local newspaper that the code has been adopted and that it is available for inspection (including the address of the office)? INCLUDING PARISHES	Section 51 LGA 2000 Note, if the Council publishes its own newspaper, this doesn't eliminate the need to publish details in a non-council newspaper		Yes – The authority placed an 'advert' in the Wirral Globe on 3 rd July 2002 entitled 'Your Council and you rights to information'. A hard copy of this advert can be found in section T of the working paper file. The 'advert' covers the following areas: The new Constitution The forward Plan Code of Conduct for Members Council Meetings – Public Question Time	The Authority has complied with this requirement - satisfactory

			Councillor Allowances Further Information.	
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Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Has the Council sent a copy of its Code to the Standards Board? INCLUDING PARISHES	Section 51 LGA 2000	At 20 th May 2002 up to 50%of local authorities had failed to do so. This is a particularly contentious issue at parish level.	Yes – The council sent a copy of the Code to the Standards Board in June 2002. Reply (acknowledgement from the standards board is held on a file maintained by Harry Jones)	The Authority has complied with this requirement satisfactory

Issue	Legislative references	Good practice/Evidence you may find	Findings	Compliant?/Conclusions
Standards Committee – Roles and responsibilities This part of the tool moves beyond the straight compliance and asks about how the Standards Committee is developing its role.				
Has the Standards Committee undertaken an assessment of the standards of conduct within the council?		The Standards Committee is responsible for ensuring high standards are maintained. As auditors, you should be aware of whether there have been incidents of member bullying, corruption, aggressive behaviour at council meetings or committee meetings.	Discussion with Harry Jones (Head of committee services) indicated that the standards committee has not undertaken an assessment of the standards of conduct within the council. This was confirmed by review of all standards committee agenda, reports and minutes.	Recommendation required.

<p>Has the Standards Committee given consideration to how it might use internal and external auditors, or committee administration to promote higher ethical standards across the Council?</p>		<p>See above in terms of reference for the standards committee It is unlikely that internal audit is being used, or is aware of the issues.</p>	<p>Discussion with Harry Jones (Head of committee services) indicated that the Standards Committee has not given consideration to how it might use internal and external auditors, or committee administration to promote higher ethical standards across the Council. This was confirmed by review of all standards committee agenda, reports and minutes. There is no reference in the Standards Committee's terms of reference as to how it might use internal /</p>	<p>Recommendation required. Note there is reference in the Standards Committee April 2003 minutes of inviting representatives from the Audit Commission to give a presentation etc on standard committee issues. The Standards Committee's terms of reference may need review and updating.</p>
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			<p>external auditors etc.</p>	
<p>Issue</p>	<p>Legislative references</p>	<p>Good practice/Evidence you may find</p>	<p>Findings</p>	<p>Compliant?/Conclusions</p>

<p>What mechanisms does the Standards Committee have in place to publicise guidance/case rulings published by the Standards Board?</p>		<p>Good practice might include briefing notes to all members/officers, or establishing an area on Council intranets.</p>	<p>The Standards Committee recently considered a report detailing the top 100 complaints made generally to local authorities. However, review of standard committee minutes and discussion with Harry Jones indicated that there are no formal or informal arrangements to publicise or distribute guidance or case rulings. Additionally, no guidance or case rulings have been publicised.</p>	<p>Recommend arrangements/mechanisms are introduced for standards committee to publicise guidance and case rulings etc.</p>
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Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
<p>Have all Members received adequate training about the new requirements?</p>		<p>Training should be around codes of conduct, registers of interest (personal interests), hospitality/gifts</p> <p>This is especially relevant to new Members.</p>	<p>Training has been provided to all members on the new Ethical framework for officers and members (LG Act 2000). This training involves explaining the key aspects of Members Code of Conduct. Training is provided to new members following election. A copy of the</p>	<p>Satisfactory – appropriate training is given to new and existing members. Review of training material suggests it covers key areas.</p>

			training slides given to members in May 2002 has been seen and is files in section xx	
Does the Standards Committee have mechanism in place to promote high standards ethical behaviour amongst Members?		The Standards Committee should be proactive in its role to raise the standards of ethical behaviour amongst Members.	The standards committee has met approximately 7 times and has yet to discuss arrangements for promoting high ethical standards amongst members. This is partly due to the long term sickness of the monitoring officer in the inability to offer 'direction' to the standards committee.	Recommendation required. The standards committee is established but the agenda, terms of reference and role need examining and strengthening.
Have all employees received adequate training?		To be completed when model officer code has been published. Also, officers should be being made aware of the function of the standards committee and the	The model officer code is still outstanding.	Outstanding – the model officer code has not yet been completed.

		importance of high ethical standards.		
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Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Does the standards committee play a proactive role in communicating the themes of the code of conduct to all Members?		<p>This could include updating and publicising the following:</p> <ul style="list-style-type: none"> Reiteration of council values (where they exist) Complaints procedures Whistle-blowing policy Risk assessments. <p>Corporate policies should be communicated via posters, bulletins, and websites.</p>	<p>As above, the Standards Committee has not to date played a proactive role in communicating code of conduct themes to members. The Standards Committee's terms of reference and role need to be re-examined and strengthened. Now that the monitoring officer is back full time, direction can be provided.</p>	Recommendation required.
Does the standards committee proactively communicate themes of the code of conduct to its external stakeholders/partners/clients/communities?		As above.	No. As above.	Recommendation required.

Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
INVESTIGATIONS				
<p>Has the Standards Committee given any consideration to how it will carry out investigations, should it receive a referral back from the Standards Board.</p>	<p>PLEASE NOTE UNTIL GUIDANCE IS ISSUE BY THE STANDARDS BOARD, YOUR COUNCIL MAY NOT HAVE CONSIDERED THESE ISSUES AND THERE IS NO NEED FOR THEM TO DO SO. Although it was originally envisaged that all allegations of breaches of the Code would be investigated by the Standards Board, in practice, it is likely that with the exception of very sensitive or severe allegations, many will be referred back to the Standards Committee for local adjudication (through a regulation under s66 of the Act). It is therefore very important that the Committee is giving consideration to these issues. Consideration needs to be given to the following:</p> <ul style="list-style-type: none"> the role of the monitoring officer (giving advice/undertaking investigations) establishment of a standards committee adjudication panel, and the appointment of a chair protocols and procedures for conducting investigations ensuring the right to natural justice is maintained, timeliness is considered and time to respond is considered whether it would be appropriate, in certain circumstances to appoint bring in independent panel members avoidance of conflict of interest of adjudication sub-committee members diversity/freedom of information/human rights issues are considered in the implementation of procedures. 		<p>The standards committee, July 2003 meeting recommended approval/ /procedures in relation to the local determination of complaints under s66 of LGA 2000.</p>	<p>Satisfactory.</p>

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Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Register of interests – compliance. There has always been a requirement on Members to declare their interests in a register (Local Government and Housing Act 1972). The requirements of a register are outlined in the next page. You should also ensure that either the Monitoring Officer or the Standards Committee are reviewing the register regularly.				
Has a register of interests been set up?	Section 81 LGA 2000		Yes a register of interests for members has been set up. It is based on response to a standard set of questions. The register is in the form of a lever arch file with members declaration forms filed alphabetically. The register could be made more user friendly for users if it were held electronically.	Recommendation – maintain the declaration of interests register in a more user friendly format.
Is the register open to public scrutiny and easily accessible (e.g. through a website)?		Good practice might include the register of interest being clearly signposted on websites and available in libraries.	Discussion with Harry Jones indicated that he kept the register of interest but was open to public scrutiny on request.	Register is not as accessible as the issue suggests eg – website, however, it is available for public scrutiny. Accept

Where town and parish local authorities exist within the Council boundaries, have registers been set up for these local authorities too? Corporate Governance Review – Audit 2002/2003		Monitoring Officers should be contacting town and parish clerks and county associations to discuss what is needed locally, if they have not already done so.	Not applicable	Not applicable Wirral Metropolitan Borough Council (Draft Version 1) – Page 32
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Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
Has a public register for gifts and hospitality been set up?	The Monitoring Officer should be told in writing of any gifts or hospitality received of over £25 within 28 days of receipt.	Review register to see how up-to-date it is. While it will be difficult to know how accurate it is, it should at least look like it is being used.	Yes – a register of gifts and hospitality is maintained and there were entries for 2002/2003 in it. However, there are issues with the register in respect of the information held. That is the register could be improved to include fuller details including name of the donor, brief	Improvements can be made to the details kept to record gifts and hospitality. Recommendations made.

		description of the goods, whether the donor was seeking work from the council, whether the offer was accepted or declined, and evidence of review by the monitoring officer.	
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Issue	Legislative references	Findings/Compliant?	Conclusions
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Does the register of interests require all members to record: their jobs the name of their employer the name of any company of which they are a director or a partner the name of any person who has made a payment to them in respect their appointment as a member or expenses they have incurred in carrying out their duties the name of any corporate body in which they have a shareholding of more than £25k (face value) or have a stake of more than 1/100th in the company Any contracts for goods and services or works between the authority and the member, their firm (if they are a partner) or company (if they are a director) or if they have a £25K (face value) or stake of more than 1/100th of the company Landholdings in the area Land leased or licensed from the authority Membership of, or position of control or management in: Other bodies where they represent the authority Other public authorities Companies, industrial and provident societies and charitable bodies Private clubs Bodies whose main purpose is to influence public policy or opinion Trade unions or professional associations. Members must tell their monitoring officer in writing of any interests which fall within these categories and must let the monitoring officer know in writing of any changes or additions that should be made. Interest must be declared at meetings. YOU SHOULD REVIEW THIS TO ASSESS WHETHER IT IS COMPLETE. ALTHOUGH THIS WILL BE DIFFICULT TO ASSESS, YOU SHOULD BE LOOKING FOR EVIDENCE THAT IT IS A LIVING DOCUMENT, A USEFUL INDICATION MAY ALSO BE THE RANGE OF INTERESTS DISCLOSED. You should also refer to the Audit Guide for registers of interest.

Yes – the declaration of members interests is based a 'standardised' form which requests all information listed in the issues column. Use of corporate 192.com and information from companies house confirmed that members did not have any undeclared business interests. Check was 100% for all members.

Satisfactory – all required information is requested and recorded in the register of interests.

Issue	Legislative references	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
<p>Do Members understand the difference between personal and prejudicial interests – how is this communicated to them? Is it clear that personal and prejudicial interests must be declared by Members of overview and scrutiny. How rigorously are declarations of interest applied and monitored?</p> <p>Have there been any allegations of impropriety with regard to the declaration of interests?</p>	<p>Please see below (appendix A1) for definitions for Personal and Prejudicial interests.</p>	<p>In order to test this, you should take a sample of members' disclosures from the register of interests, and test them against relevant committee papers (at executive and overview and scrutiny). If they do have a personal interest, they must declare it and say what the interest is</p> <p>before any meeting where the issue is to be discussed or as soon as it comes to light. However, they can still take part in the meeting and vote unless the personal interest is also a prejudicial interest.</p> <p>If they believe that a member of the public, aware of the personal interest, would view the interest as significant enough to prejudice their judgement, then they</p>	<p>Definitions for Personal and Prejudicial interests are included in the members handbook and training material given to members and new members annually. Additionally, a formal item on each committee agenda asks members to declare any personal or prejudicial interests before proceedings</p> <p>begin. Responses are formally noted and minuted.</p>	<p>Satisfactory – training material seen and appears reasonable.</p>

must withdraw from the meeting.

Issue	Legislative references	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
<p>Is it clear whether a dispensation can be sought, allowing them to take part in meetings where they have a prejudicial interest.</p>	<p>The Relevant Authorities (Standards Committee) (Dispensations) Regulations 2001.</p>	<p>Members can apply to the standards committee for a dispensation if: Over 50% of the authority or committee members would be prevented from taking part because of prejudicial interests</p> <p>Where the political balance would be upset (not relevant to police, town, parish, national park or broads authorities.).</p> <p>Written dispensation must be sought, and a written reply must be received before the relevant meeting.</p>	<p>There have been no applications for dispensation to the standards committee. This has been confirmed through review of the standards committee minutes and discussion with Harry Jones-Committee Services.</p>	<p>No instances where dispensation has been sought. Accept.</p>

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Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
MONITORING OFFICER	<p>Where any concerns arise about the role of the monitoring officer, please refer to the more detailed checklist on this subject.</p> <p>As yet, there are few duties placed on the monitoring officer by the Act, but it is possible that the Standards Board may publish regulations in respect of the role.</p>			
Is proactive the Monitoring Officer about ensuring members comply with the code?		You will form a view about this as you conduct the audit, but you should also ask the Monitoring Officer what action they are taking.	The monitoring officer will take what action is required to ensure members comply with the code. This could include a quite word, formal letter to individual and or party leader, or referral to standards committee/ board.	Appears reasonable – the monitoring officer appears to take a proactive role.
Has the Monitoring Officer complied with the duty to set up and maintain: the register of interests the register of gifts and hospitality?			Yes a register of gifts and hospitality and register of interests is maintained. Both registers are up to date and both could be improved. See previous comments.	Compliance is evident, but improvements can be made – recommendations made.
Where relevant has this also been done for town and parish local authorities?			Not applicable.	Not applicable.

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Issue	Legislative References	Good practice/Evidence you may find	Findings/Compliant?	Conclusions
<p>Has any thought been given to the role of the monitoring officer in investigations?</p>		<p>There is a potential conflict of interest if the MO has previously given advice in respect of an individual case (while this is unlikely it might be an issue for consideration)</p> <p>We have been told that the Standards Board anticipates recommending in its guidance on the s66 regulations (about referring issues back for local investigation) that the primary role of monitoring officers under the regulations will be to advise the standards committee and any investigatory role to be delegated to either their deputy, an independent investigator or the MO of another authority (encouraging reciprocal arrangements).</p>	<p>This is an issue which requires further consideration. There have been no instances where local investigation has been required.</p>	<p>Guidance now issued. Appears reasonable.</p>

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Corporate Governance Review

Wirral Metropolitan Borough Council

ACTION PLAN

Reference:	WI019-08-2003AP
Date:	November 2003

Reference:	WI019-08-2003AP
Date:	November 2003

Page	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
Recommendations – members declaration of interests						
	R1 Introduce a more user friendly version of the register of members interests that allows easier reference by officers and members.	2	H.R. Jones	✓	To be in place for commencement of new municipal year	June 2004
	R2 Ensure all sections of the declaration of interest forms are completed. Nil entries should be entered rather than leaving the section blank.	3	H.R. Jones	✓	Members to be advised. Spot check of returns.	June 2004
	R3 Ensure members confirm that they have received and understand the local code of conduct.	2	H.R. Jones		Already done via declaration of office form. Reinforced in members' induction pack - will require confirmation of receipt of Members' Handbook.	June 2004

Page	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
Recommendations – members and officers gifts and hospitality						
R4	Periodically remind officers and members of the arrangements to record gifts and hospitality.	2	JEM	✓	Twice yearly reminders to Members and Officers via email and COMT.	
R5	Issue corporate guidance to standardise the information recorded in officer and member gifts and hospitality registers. Gifts and hospitality register to record the following details: <ul style="list-style-type: none"> The name of the officer/member receiving the offer of the gift or hospitality a record of all gifts and hospitality offered but declined Brief description of the gift/hospitality Date of the offer the value of gifts and hospitality offered of accepted or offered whether the gift/hospitality was accepted or declined details of a review by senior officers whether the donor is seeking work from the Council. 	3	JEM	✓	Proposed corporate guidance and standard electronic register to be used by all departments - accessed via intranet. Question practicality of all gifts/hospitality refused -will instead be dealt with in guidance.	June 2004

Page	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
Recommendations – members and officers gifts and hospitality						
	R6 Issue guidance to members and officers on the offer and acceptance of sponsorship and corporate sponsorship.	2	JEM		Draft for Officers, then Standards Committee	March 2004 Officers Standards - June
	R7 Standardise the approach by which officers are reminded of their responsibility to record gifts and hospitality.	2	JEM/Chief Officers	✓	See R.4	
Recommendations – Standards Committee						
	R8 Appoint independent lay member (s) as a matter of urgency.	3	JEM	✓	Complete.	November 2003
	R9 Strengthen the effectiveness of Standards Committee by increasing their role, remit and responsibilities in relation to ethical and governance issues.	2	JEM/Standards Committee		To be discussed and considered by Standards Committee.	
	R10 Consider appointing an independent lay member as chair of the standards committee.	2	Council	✓	To be considered in new municipal year.	July 2003
	R11 Introduce arrangements to proactively communicate the themes of the code of conduct to member, external stakeholders or partners.	2	JEM	✓	Use of website as far as possible and within procurement.	July 2003
	R12 Prepare guidance on the role and responsibilities and conduct requirements for independent members.	2	H.R. Jones/JEM	✓	Induction pack and training to be arranged.	March 2003

