

STANDARDS COMMITTEE

Tuesday 27 January 2009

| | | | |
|-----------------------------|-------------|--|--|
| <u>Present:</u> | Mr | Brian Cummings (Chair) | |
| | Councillors | C Blakeley WJ Davies K Hayes AR McLachlan C Meaden | L Rowlands A Taylor C Tegg P Williams |
| <u>Independent Members:</u> | Messrs | Ken Harrison MBE (Vice-Chair) | Alex Nuttall |

27 DECLARATIONS OF INTEREST

The members of the Committee were asked to consider whether they had a personal or prejudicial interest in connection with any item on the agenda and, if so, to declare it and to state the nature of such interest. No declarations were made.

28 MINUTES

Resolved – That the minutes of the previous meeting, held on 1 December 2008, be accepted as a correct record.

29 CODE OF CORPORATE GOVERNANCE

The Director of Law, H.R. and Asset Management sought the Committee's views on the proposed Code of Corporate Governance for the Council, which had been endorsed by the Audit and Risk Management Committee the previous evening. The new Code was in line with the 'CIFPA/SOLACE Delivering Good Governance in Local Government Framework', published in July 2007.

The Framework replaced the previous corporate governance guidance and required local authorities to undertake specific actions and have in place principles that should underpin the governance of each local government body from 2007/08. That should ensure that the Council complied with the Framework and, accordingly, the statutory requirements of the Accounts and Audit Regulations. Paragraph 3.2 set out the six core principles, developed by the Independent Commission on Good Governance in Public Services, and supported by the Department for Communities and Local Government and CIFPA, that ought to underpin the governance of each local government body. The Council had to produce an Annual Governance Statement to show how well it performed in each year, the latest having been submitted to the Audit and Risk Management Committee on 30 June 2008 (minute 6 refers).

Resolved – That the proposed Code of Corporate Governance be endorsed as far as this Committee is concerned.

30 ETHICAL GOVERNANCE DIAGNOSTIC

The Director of Law, H.R. and Asset Management suggested that members might want to comment on any issues raised at the interviews that had taken place earlier that day as part of the Ethical Governance Diagnostic.

The Chair stated that so far involvement by the co-opted members had been limited and there was a need to strengthen their role. He himself had been in discussion with the Chief Executive with a view to raising awareness of the Committee's role generally, and he felt it would be appropriate for the Committee to go through the Audit Commission's report in detail once it was available.

The Committee went on to discuss the issue of training in governance issues, which was regarded as a high priority within the Members Development Programme; the need to develop a work programme for the Committee, which should include regular reviews of codes and protocols and anything else that might contribute to good governance; and ways of involving co-opted members more in the operation of the Council, particularly training opportunities.

Resolved – That in the first instance arrangements be made to include co-opted members of this and other committees in the Member Development Programme.

31 OMBUDSMAN CASES - PERFORMANCE UPDATE

The Director of Law, H.R. and Asset Management reported on the current level of performance in dealing with complaints made to the Local Government Ombudsman. For the quarter 1 September to 31 December 2008, the Council received 8 complaints, and the average time taken to respond to the Ombudsman had been 41 days (against a target of 28 days), which was considered very disappointing given the previous significant improvements in response times.

He explained that that was attributable mainly to two cases where there had been a significant delay, and he related the circumstances of each. It was still hoped that the strong performance over the first half of the year and an improved performance in the final quarter would enable the overall target to be met. Using the experience of the two cases, all staff involved would be reminded of the need to ensure that complaints were given the appropriate priority and more senior staff would be involved in the process. In response to members' queries, he undertook to look into whether the authority's view on the reasons for one of the delayed cases had been conveyed to the Ombudsman and to review the protocol in place for handling complaints referred by the Ombudsman.

Resolved – That the report be noted and the Director report back on the matters now raised.

32 DECLARATION OF GIFTS AND HOSPITALITY - UPDATE

The Director of Law, H.R. and Asset Management reported on current work taking place on the process for registering gifts and hospitality. He referred to the Council's new software programme for its democratic processes, which had been in operation

since October 2008. Development of the system and its uses was progressing, and the register of member's interests was in the process of being transferred from the paper system on to the computer system. That would enable members to update their own entry on the register and it would be accessible via the Council's website to the public. Members would be sent an automatic reminder every three months of the need to update any changes to their interests. It was intended that declarations of any gifts and hospitality received would also be entered directly on to the system in the same way, which it was hoped to complete by 31 March.

The Director referred to the question of members being offered gifts or hospitality in their capacity as members of other authorities or boards to which they had been appointed by the Council, for example the Police Authority, the Fire and Rescue Authority or Merseytravel. The issue had been discussed at the Merseyside District Secretaries meetings (attended by the Chief Legal Officers and their deputies for the constituent authorities and the joint authorities). Guidance had also been sought from the Standards Board for England. The conclusion was that such offers should be registered with both authorities, and all members would be informed accordingly. They would also be reminded that the obligation to register rested with themselves.

Members suggested that any guidance should be supported by training, to include illustrations of best practice; queried the extent to which a paper record might still be necessary; and noted the Director's view that offers of gifts and hospitality that were declined should also be registered.

Resolved – That the report be noted and the Director submit a further report to the next meeting on guidance to members on the declaration of gifts and hospitality and the implementation of the new system for registration.

33 **DATE OF NEXT MEETING**

Further to minute 26 (1/12/08),

Resolved – That enquiries be made about the possibility of changing the date of the Audit and Risk Management Committee in March in order to avoid a clash with this Committee.