

## **Agenda**

**Councillors: Herefordshire:** Mr R. Preece  
**Worcestershire:** Mr RJ Farmer

**Independent Members:** Mr C Emeny, Mr R Gething, Dr M Mylechreest,  
Mr R Rogers (Chairman), Mr D Stevens.

**1. Named Substitutes (if any)**

To receive details of any Member of the Authority nominated to attend the meeting in place of either of the two Councillors on the Committee.

**2. Declaration of Interests (if any)**

To invite any Member of the Committee to declare any interest in any of the items on this Agenda.

**3. Minutes**

To confirm the Minutes of the meeting held on 18 November 2005. (copy attached – pink pages)

**4. Proposed Ethical Audit (To follow)**

To discuss the proposed ethical audit of the Authority by the Committee.

## **Minutes**

### **Present**

**Councillors:** Herefordshire: (none)

Worcestershire: Mr Gordon Yarranton

**Independent Members:** Dr Murray Mylechreest, Mr Robert Rogers (Chairman).

### **Officers in attendance:**

Mr Kevin O'Keefe (on behalf of the Clerk)

Mr Martin Reohorn (Director of Finance)

Mrs Carole Williams (Senior Administrative Officer)

Mr Tim Brown (Committee Services)

### **Available Papers:**

- A. The agenda paper and appendices referred to (previously circulated).
- B. The Minutes of the meeting held on 11 March, 2005 (previously circulated).

(A copy of the agenda papers will be attached to the signed minutes).

#### **44. (Agenda item 1) Named Substitutes**

None

#### **45. (Agenda item 2) Declaration of Interests**

There were no declarations of interests.

#### **46. (Agenda item 3) Minutes**

**RESOLVED: that the minutes of the meeting held on 11 March, 2005 be confirmed as a correct record and signed by the Chairman.**

#### **47. (Agenda item 4) Protocol on the Use of Resources**

The Committee considered recommending the adoption of a protocol to govern the use of resources by Members.

The report stated that in reviewing compliance with the Code of Corporate Governance at its meeting in March 2005 the Committee had noted that the adoption of a Code governing Members' use of resources, possibly based on the model being developed by Herefordshire Council, would assist in that aim.

A protocol modelled on that adopted by Herefordshire Council in July 2005 was appended to the report.

The Chairman commented on two issues which had caused Herefordshire Councils Standards Committee some concern. The first issue was the prohibition on using Council resources for political purposes and the definition of "political purposes". He reported that advice had been sought from the

Standards Board for England on this point but that advice had not proved helpful and the matter had not been fully resolved.

The second issue related to the wish by the Council's ICT department to include detailed ICT conditions and instructions in the protocol. In the end the Committee had opted for a simple user-friendly document which at the same time offered sound guidance for Members. Detailed ICT issues had been exported to a document for which the Council administration had taken responsibility.

It was noted that the Authority had not at the moment got sufficient guidance in place to cover these detailed ICT issues. It was proposed that policies should be revised as appropriate and reported to the Committee, recognising that they would not wish to take ownership of such policies but rather to ensure that any ethical issues were appropriately addressed and the policies sufficiently comprehensive.

**RESOLVED:**

- (a) that the Authority be recommended to adopt the protocol on the use of resources by Members as appended to the report; and**
- (b) that a further report be made to the Committee on detailed provisions to govern the use of ICT Resources.**

**48. (Agenda item 5) Appointment of Independent Members to the Standards Committee**

**RESOLVED: that under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for this item of business on the grounds that it involved the likely disclosure of exempt information relating to a particular employee, former employee or applicant to become an employee, or a particular office-holder, former office-holder, or applicant to become an office-holder under the Authority.**

**Summary of Exempt Proceedings**

The Committee agreed to recommend the appointment of up to 3 additional Members to serve on the Committee.

**49. (Agenda item 6) Independent Members' Forum**

The Committee reviewed the Forum's meeting held in August 2005 and arrangements for the next meeting, to be held in Herefordshire in February 2006.

It was noted that the Standards Board for England (SBE) had encouraged the development of regional forums to support independent Members of Standards Committees with their role and responsibilities. This was in part a response to the widely differing experiences of Independent Members and the varying approaches of local authorities towards Independent Members. However, the development of forums was a matter for local decision and was not directed by the SBE. It was thought that the local forum comprising Independent Members from Herefordshire, Shropshire and Worcestershire served a useful purpose at the moment. However, it may be that over time

the need for the forums might diminish. The Annual Assembly of Standards Committees was itself evolving and the most recent one had afforded a better opportunity to discuss issues.

It was reported that it was planned that the forthcoming forum meeting in Hereford would consider the process of local investigations, local determinations and local hearings given the Herefordshire Council's Standards Committee's practical experience of these matters. It was suggested that the issue of joint training sessions should also be discussed.

**RESOLVED: that the report be noted and it be suggested that the issue of joint training sessions should be added to the agenda for the next meeting of the Independent Members Forum.**

**50. (Agenda item 7) Annual Assembly of Standards Committees**

The Committee reviewed the fourth Annual Assembly of Standards Committees held in September 2005.

It was reported that the event had again proved helpful. The Standards Board for England (SBE) appeared increasingly to be using the Assembly to gauge opinion which was giving delegates increased influence.

In terms of issues it was suggested that the SBE needed to clarify the respective purposes of its Roadshows and the Assembly. It was noted that Herefordshire Council's Standards Committee had requested that documentation for the workshops at the Assembly should be circulated in advance so that the most effective use could be made of the time available on the day. It had also been suggested that in organising the break-out sessions account should be taken if possible of the different levels of experience of different Committees and individuals.

A request was made that consideration be given by the Authority to meeting some of the cost of attendance by those Independent Members of the Committee who also served on the Standards Committees of the constituent authorities which to date had borne those costs.

**RESOLVED: that the report be noted and the Authority requested to give consideration to bearing some of the cost of attendance at the Annual Assembly by those Independent Members of the Authority's Standards Committee who also served on the constituent authorities' Standards Committees.**

**51. (Agenda item 8) Possible Ethical Audit – Preliminary Discussion**

The Committee discussed a possible ethical audit of the Authority by the Committee.

The Chairman suggested that it might be opportune to take stock and review how the Authority was responding to the requirements of the ethical framework. The exercise would be timely given the expectations of the Comprehensive Performance Assessment Process and the proposed addition of new Independent Members to serve on the Committee. His intention was that the process would be supportive of and helpful to the Authority.

He envisaged that the audit would include a review of the recommendations made so far by the Committee to see if there was a need to update these in the light of learning and the development of best practice. He proposed that a report should be brought to the next meeting on how the audit might be conducted and its scope.

It was noted that in part the audit could also be seen as a training exercise enabling the new Independent Members to gain an understanding of the context within which the Fire and Rescue Authority was operating.

The proposal was welcomed by officers of the Service present.

**RESOLVED: that a report be prepared setting out proposals for an ethical audit of the Authority.**

**52 Date of Next Meeting**

It was suggested that a meeting needed to be held reasonably soon after the expected appointment of the additional Independent Members to serve on the Committee by the Authority in December and before the next meeting of the Independent Members' Forum, which was to take place in February 2006.

**RESOLVED: that the next meeting of the Standards Committee take place at 10.00 am on Friday, 6th January, 2006 at Fire and Rescue Service Headquarters, Worcester.**

**53. Departure of Ms M.E. Rosenthal - Clerk/Monitoring Officer**

In closing the meeting the Chairman paid tribute to the contribution made by Marie Rosenthal, legal advisor to the Authority and latterly the Authority's Clerk and Monitoring Officer, who had advised the Committee since its formation. It was reported that she had been successful in securing a promotion with another authority.

It was agreed that the Committee's best wishes and thanks should be conveyed to her.

The meeting ended at 3.15 pm.

Chairman

## 4. PROPOSED ETHICAL AUDIT

### Purpose of Report

To discuss the proposed ethical audit of the Authority by the Committee.

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### Background

1. Public confidence in the integrity of local democracy is vital, and is the main aim of the national ethical framework. The Standards Board for England promotes ethical behaviour of members serving on a range of authorities throughout England. The Standards Board works with 386 local authorities, 43 police authorities, 31 fire and civil defence authorities and thousands of town and parish councils. Every authority must by law adopt a Code of Conduct governing the behaviour of its members. All elected members of local authorities, parish councils, fire, police and national parks authorities are covered by the Code.

### An Ethics Audit

2. An ethics audit assesses the degree to which ethical standards play a part in decision making, both on the part of the authority and also the individuals elected to it. It may serve either as an assurance that the authority's ethical house is in order or it may act as early warning of blind spots that could lead to reputational damage. There are three types of ethical audit.
  - a. **A Compliance Audit** – this analyses the degree to which the ethics programme meets the standards required by law and the degree to which both the organisation and individuals' behaviour satisfies legal requirements.
  - b. **A Cultural Audit** – explores how employees and other stakeholders feel about the organisation's standards and behaviour, including the perceived priorities and ethical effectiveness of individuals within the organisation, as well as the organisation as a whole.
  - c. **A Systems Audit** – the degree to which the ethical principles, guidelines and processes are integrated within the organisational systems.
3. A cultural audit can sometimes assist an organisation in reaching a preliminary conclusion that increased attention to ethical issues would be beneficial. Every organisation should, on a periodical basis, perform a compliance audit as part of its due diligence. System audits are only really useful when an organisation has formed a preliminary conclusion that increased attention to ethical issues would be a positive for the organisation.
4. It must always be remembered that the principles of ethics form a *floor* rather than a *ceiling* for ethical conduct. It is important that organisations ensure that they themselves meet at least their minimum requirements.

5. An ethics audit is a demonstrable assessment of the reputation, both actual and perceived of the organisation and also acts as part of the CPA assessment process.

### **Elements of an Audit**

6. The key elements of an ethics audit include:
- a. An evidence-based assessment of members' familiarity with the Code of Conduct.
  - b. A similar assessment of members' awareness of the role and function of their Standards Committee.
  - c. A canvas of views on the availability and quality of advice upon ethical issues.
  - d. A view of training programmes and the induction of new members, with particular regard to frequency, content, attendance and quality of the presentation.
  - e. An evidence-based assessment of the extent to which ethical practice is embedded in the authority's transaction of business.
  - f. Consultation with stakeholders on the way the organisation is seen by them.
  - g. A check that documentation (declarations of interests, hospitality, etc) is accurately kept and updated.
7. In addition, consultation with the Standards Board for England in preparing and scoping an ethical audit would help ensure that best practice is followed.

### **The Next Steps**

8. If the Committee agrees that an audit of this sort should be undertaken, it may wish to inform the Authority (but not seek permission) for its 15 February meeting. An important presentational point will be the importance of demonstrable ethical governance in the Comprehensive Performance Assessment process.

### **Recommendation**

That the Committee endorse the proposed Ethical Audit of the Fire & Rescue Authority; so inform the Authority; and consider a report and require that a further report be brought to their next meeting, consider a report outlining the scope, resources and timescale for such an audit.

### **Background Papers**

None.