

Agenda

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

Independent Members: Mr C Emeny, Mr R Gething, Dr M Mylechreest,
Mr R Rogers, 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. Election of Chairman

To elect a Chairman.

3. Appointment of Vice-Chairman

To appoint a Vice-Chairman.

4. Declaration of Interests (if any)

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

5. Minutes

To confirm the Minutes of the meeting held on 6 January 2006. (copy attached – pink pages)

6. Ethical Audit (To Follow)

To discuss the proposed ethical audit of the Authority.

7. Standards of Conduct in English Local Government: The Future (p.1)

To consider a discussion paper from the Office of the Deputy Prime Minister on standards of conduct.

8. Fifth Annual Assembly Of Standards Committees (p.2)

To discuss attendance at the fifth Annual Assembly of Standards Committees.

9. West Mercia Independent Members Forum – 3 February

To discuss issues raised at the Independent Members Forum.

10. Work of the Authority

To report on any standards or ethical issues arising within Members own constituent authorities that might be of interest to the Committee.

11. Date of Next Meeting

To consider the date of the next meeting.

Minutes

Present

Councillors: Herefordshire: Mr Bob. Preece
Worcestershire: Mr Reg Farmer

Independent Members: Mr Colin Emeny, Mr Richard Gething, Dr Murray Mylechreest, Mr Robert Rogers (Chairman), Mr David Stevens.

Officers in attendance:

Mr Kevin O'Keefe (on behalf of the Clerk)
Mr Peter Miles (Acting Director of Corporate Services)
Mrs Carole Williams (Senior Administrative Officer)
Mr Paul James (Committee Services)

Available Papers:

- A. The agenda paper and appendices referred to (previously circulated).
- B. The Minutes of the meeting held on 18th November, 2005 (previously circulated).

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

The Committee congratulated Mrs Lucy Phillips on her appointment as Deputy Chief Fire Officer. The Committee also welcomed the three new Independent Members.

54. (Agenda item 1) Named Substitutes

None

55. (Agenda item 2) Declaration of Interests

There were no declarations of interests.

56. (Agenda item 3) Minutes

The Committee was informed that the Authority had adopted the protocol on the use of resources by Members; that a report on the use of ICT resources would be put before the Committee at its next meeting and that the position regarding the payment of expenses incurred by independent members while attending meetings of the Annual Assembly of Standards Committees be reported to the next meeting.

RESOLVED: that the minutes of the meeting held on 18th November 2005 be confirmed as a correct record and signed by the Chairman.

57. (Agenda item 4) Proposed Ethical Audit

The Committee considered a proposal to undertake an ethical audit of the Authority by the Committee.

The Committee considered a report, previously circulated to Members, outlining in broad terms the pragmatic advantages of undertaking an ethical audit of the Authority. The report also set out a number of key elements such an audit should include.

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While the report set out three types of ethical audit, namely: a Compliance Audit; a Cultural Audit and a Systems Audit, the Committee appreciated that the three types would naturally merge as the audit procedure progressed. However, a view was expressed that the Systems Audit (checking the Authority's documentation) should be relatively easy to complete.

The Committee agreed that an ethical audit would provide a demonstrable assessment of the reputation, both actual and perceived, of the organisation and also act as a proactive part of the Comprehensive Performance Assessment (CPA) process. It would therefore either provide an assurance that the authority's ethical house was in order or act as an early warning of blind spots that could lead to reputational damage.

The Clerk to the Authority outlined a possible framework for the audit. He suggested that the Standards Board for England, and possibly Inlogov, might be consulted on the preparation and scoping of an audit, thereby ensuring that best practice was followed. While preparation work for the audit could begin immediately, he proposed that a further report, setting out the scope and methodology, be presented to the next meeting. The Committee requested that an indication of the resource implications also be set out and that, in view of the wide range of partners, organisations and public the authority dealt with, that the term 'stakeholders' be clarified.

The Chairman emphasised that while some issues would impinge on management responsibilities it should be kept in mind that this would be an ethical, not a management, audit.

The Director of Corporate Services reported that, on the systems aspect, much was already in place. The views of Members could be sought by including appropriate questions in a Member survey, which was already in the course of preparation.

The Chairman requested that the Authority be informed at its meeting on 15th February 2006 that an ethical audit would be undertaken by the Committee and of the philosophy behind it.

RESOLVED:

- (a) that an ethical audit of the Fire and Rescue Authority be undertaken and that a further report be brought to the next meeting setting out the scope, resource implications and timetable for such an audit; and**
- (b) that the Authority be informed of this intention at its meeting on 15th February 2006.**

58. Member Training

The Committee gave initial consideration to the training and development needs of both Members of the Committee and Members of the Authority to ensure that the standards expected of them were built into any training programme.

The Chairman reported that the training event concerning standards and ethics, held in collaboration with Worcestershire, had been very successful and reminded the Committee of the proposal to repeat the event in the near future.

The Committee identified a number of training requirements in relation to the work of the Committee and the work of the wider Authority membership e.g. Code of Conduct; Freedom of Information; Data Protection and Member involvement in local investigations and determinations, and concluded that further requirements might be identified in the course of the ethical audit.

Members agreed that a key element in their familiarisation of the authority would be to receive the agenda/minutes of the Authority and to attend, as observers, meetings of the Authority. The Clerk undertook to provide members with the dates of meetings of the Authority.

RESOLVED:

- (a) that the Clerk contact Worcestershire County Council regarding a further joint training event;**
- (b) that the first training session for Members of the Committee should focus on the Code of Conduct and Member involvement in local investigations and determinations; and**
- (c) that further training requirements be considered as they were identified during the ethical audit.**

59. Key Issues Checklist

The Acting Director of Corporate Services suggested that it might be useful for Members and senior officers to have a checklist of key corporate issues as a reminder when considering new or revised developments/actions. The Committee agreed and considered that such a list be compiled as issues were identified during the ethical audit.

RESOLVED: that a checklist of key corporate issues be compiled as part of the ethical audit.

60. Independent Members' Forum

The Independent Members were informed that a meeting of the regional Independent Member Forum, covering the Herefordshire, Worcestershire and Shropshire region, would be held in the Herefordshire Council offices at Brockington, Hafod Road, Hereford at 2.30 p.m. on Friday 3rd February, 2006. The Clerk to the Authority undertook to ensure that invitations would be sent to the new independent members on the Committee.

61. Regular Agenda Item

The Committee considered that there should be a standing item on the agenda to enable them to report on any standards or ethical issues arising within Members own constituent authorities that might be of interest to the Committee.

RESOLVED: that a standing item be added to future agendas entitled “Work of the Authority” to enable Members to report on issues arising within the constituent authorities.

62. Standards of Conduct in English Local Government: The Future

The Chairman informed the Committee that, as reported in Hansard, the Office of the Deputy Prime Minister had published a paper “Standards of Conduct in English Local Government: The Future”, copies of which had been forwarded to Members for information.

He reported that the publication drew together the Government’s current view on the future of the conduct regime for local government in England. It set out a vision for the future and provided a single response to the recommendations of the ODPM Select Committee, the Standards Board for England and the Committee on Standards in Public Life. The Chairman suggested that, as the contents of the publication would have a major bearing on the future work of the Committee, Members should study the publication and a report on the implications should be considered at the next meeting.

RESOLVED: that a report on the implications of “Standards of Conduct in English Local Government: The Future”, be considered at the next meeting.

63. Date of Next Meeting

The Committee agreed that the next meeting be held during late February or early March 2006 with details to be confirmed by the Clerk.

The meeting ended at 11.24 a.m.

Chairman

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7. Standards of Conduct in English Local Government: The Future

Purpose of Report

1. To consider a discussion paper from the Office of the Deputy Prime Minister (ODPM) on standards of conduct.
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Background

2. The Committee was informed in January that the ODPM had published a discussion paper setting out its vision for a future comprehensive conduct regime for local authority members and employees.
3. The discussion paper reflects the Government response to recommendations made earlier in 2005 by the Committee on Standards in Public Life (The Graham Committee), as reported to this Committee in March 2005, recommendations of the ODPM Select Committee following its Inquiry into the Role and Effectiveness of the Standards Board for England. It also has regard to recommendations made by the Standards Board following its review of the Code of Conduct for Members, to which this Committee submitted its comments in March 2005.
4. A copy of the discussion paper has been circulated separately to Members of the Committee.

Background Papers

None

8. FIFTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

Purpose of Report

1. To discuss attendance at the fifth Annual Assembly of Standards Committees.
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Background

2. The fifth Annual Assembly of Standards Committees: Bridging the Gap: towards effective local regulation is to be held in Birmingham on 16-17 October 2006.
3. The stated purpose is, “to encourage delegates to assess where their authority is now in terms of delivering on the criteria that the ethical framework, their communities and others within the local government family expect of them and provide ideas and best practice for driving change and improvement.”
4. The Clerk will report at the meeting on arrangements made for attendance and how it is proposed, if necessary, to respond to the Committee’s recommendation in November, 2005 that consideration should be given by the Authority to meeting some of the cost of attendance by those Independent Members of the Committee who also serve on the Standards Committees of the constituent authorities, which to date have borne those costs.

Background Papers

None