

Standards Committee

- To:** Mrs C Bainton (Independent Member, in the Chair)
Cllrs Horton (Vice-Chair), Waudby, Hudson and Taylor
(CYC Members)
Cllrs Crawford, Mellors and Forster (Parish Council
Members)
Mr M R Hall, Mr D Wilson and Mr A L Dixon
(Independent Members)
- Date:** Friday, 20 November 2009
- Time:** 3.00 pm
- Venue:** The Guildhall, York

AGENDA

- 1. Declarations of Interest**
At this point, Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.
- 2. Minutes** (Pages 3 - 8)
To approve and sign the minutes of the meeting of the Standards Committee held on 28 August 2009.
- 3. Public Participation**
At this point in the meeting, members of the public who have registered their wish to speak, regarding an item on the agenda or an issue within the remit of the Standards Committee, may do so. The deadline for registering is **5:00 pm on Thursday, 19 November 2009.**

- 4. Member Training and Development Policy** (Pages 9 - 24)
This report presents a proposed Member Training and Development Policy, which has been developed in consultation with the Member Development Steering Group, and asks the Committee to recommend it to Council for approval.
- 5. Review of the Operation of the Local Assessment of Complaints Framework** (Pages 25 - 30)
This report summarises the numbers and types of complaints received and dealt with by the Council since the introduction of the local assessment of complaints and makes some proposals for improving the current process.
- 6. Outstanding Issues** (Pages 31 - 34)
This report summarises the outstanding issues and reports on the Standards Committee's work plan and explains the current position on these items.
- 7. Review of Work Plan** (Pages 35 - 36)
To review the Standards Committee's work plan for the 2009/10 Municipal Year, in the light of the updated information received in the previous agenda item. A copy of the work plan agreed at the last meeting is attached.
- 8. Urgent Business**
Any other business which the Chair decides is urgent under the Local Government Act 1972.

Democratic Services Officer responsible for this meeting:

Name: Fiona Young

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For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	STANDARDS COMMITTEE
DATE	28 AUGUST 2009
PRESENT	MRS BAINTON (INDEPENDENT MEMBER, IN THE CHAIR) CLLRS HORTON (VICE-CHAIR), TAYLOR AND R WATSON (SUBSTITUTE) (CYC MEMBERS) MR DIXON AND MR HALL (INDEPENDENT MEMBERS) CLLRS CRAWFORD, MELLORS AND FORSTER (PARISH COUNCIL MEMBERS)
APOLOGIES	COUNCILLORS WAUDBY AND HUDSON (CYC MEMBERS) MR WILSON (INDEPENDENT MEMBER)

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

11. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

12. MINUTES

With reference to Minute 4 (Meetings with the Leader and Chief Executive), it was confirmed that a small article had recently appeared in The Press regarding the Ombudsman's report on the Standards Committee agenda. The Monitoring Officer would seek to follow this up by providing information on the outcome of today's discussions on that item.

With reference to Minute 5 (Review of the Protocol on Officer / Member Relations), the Monitoring Officer reported that he had liaised with the Audit Commission, as requested, regarding the proposed review of the effectiveness of the new Protocol and would include their comments in his report to the next meeting.

RESOLVED: That the minutes of the Standards Committee meeting held on 26 June 2009 be approved and signed by the Chair as a correct record.

13. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

14. STANDARDS BOARD FOR ENGLAND - CHANGE OF NAME

The Chair reported that the Standards Board for England had decided to change its name and its logo and from July 2009 would be known as 'Standards for England.' This was to reflect the change in its role from investigator to regulator, following the introduction of local assessments. Further information could be found on their website, at: <http://www.standardsforengland.gov.uk/>

15. FULL COUNCIL - FEEDBACK FROM CHAIR

The Chair reported that she had attended the Full Council meeting on 9 July 2009, to present the Annual Report of the Standards Committee and to move the Committee's recommendations in respect of the revised Protocol on Officer / Member relations.

Despite the fact that no comments had been received from Members in response to consultation on the revised Protocol, an issue had been raised at the Council meeting regarding the wording of one of the paragraphs. The Protocol had therefore been referred back to the Standards Committee for further consideration. There had also been some confusion regarding the status of the Chair of Standards Committee within the Council and whether, as an independent Member, she was entitled to remain in the Chamber during the discussion on an exempt item from which the press and public were excluded. Clarification was needed on this matter.

RESOLVED: That the Chair's comments be noted and that the Monitoring Officer produce a note, for circulation to all Council Members, clarifying the status of the Independent Chair of Standards Committee as a Member of Council.¹

REASON: For information and to avoid any confusion or embarrassment at future meetings.

Action Required

1. Produce note of clarification on status of Independent Chair TP

16. THE LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW YEAR ENDING 31 MARCH 2009

Members considered a report which presented the Annual Review of the Local Government Ombudsman (LGO), setting out data on complaints against City of York Council processed by the LGO during 2008/09.

The report outlined the remit and powers of the LGO in relation to complaints made against local authorities. During 2008/09 the LGO had received 57 complaints concerning City of York Council, of which 28 had been forwarded to the investigations team. 30 decisions had been taken during the year. In twelve cases no evidence of maladministration had been found and in seven cases the LGO had used their discretion not to

investigate. Four cases were considered to be outside the jurisdiction and seven had been decided as local settlements. The only area of performance judged as outside the target range was the speed of the Council's responses to enquiries from the LGO, which was 35 days on average compared to the target of 28 days.

It was suggested that in future the LGO's annual reports be made available on the Council's website, in the pages relating to complaints, as well as being reported to the Standards Committee and the Audit and Governance Committee.

During their discussions, Members queried whether any comparative information was available from other authorities and expressed the hope that action would be taken to improve response times. They also raised the issue of the Council's response times to complaints in general.

RESOLVED: (i) That the content of the LGO Annual Report be noted and that the proposal to make this and future reports available on the Council's website be endorsed.

REASON: For information, and in the interests of transparency.

(ii) That Officers note Members' comments regarding the desirability of obtaining comparative information about other authorities and the potential need to examine the issue of response times, both to LGO enquiries and to complaints in general.¹

Action Required

1. Obtain comparative LGO data on other authorities TP

17. MEMBER DEVELOPMENT STEERING GROUP

Members considered a report which informed them of the formation of a Member Development Steering Group, with a reporting line to the Standards Committee, and outlined the work achieved by the Group to date.

The Steering Group's terms of reference included a requirement to ensure that the Council reached and maintained the level of skills, competencies and practices necessary to achieve I&DeA Charter status. Since its establishment at Full Council on 2 April 2009, the Group had met twice. It had agreed an Annual Work Plan and a Member Development Plan and had appointed Mike Leitch as an external consultant to provide Personal Development Reviews for Members. Copies of the terms of reference and the Annual Work Plan were attached as Annexes A and B to the report.

In response to questions from Members, Officers confirmed that the costs of the external consultant had been met from the Development budget following a tender process and that the cost of applying for Charter status would be about £500, for which grant funding might be available.

RESOLVED: That the contents of the report be noted.

REASON: In accordance with the reporting arrangements agreed by Council for the Member Development Steering Group.

18. GUIDANCE ON 'OTHER ACTION'

Members were invited to discuss any issues arising from the new guidance on 'other action' recently issued by Standards for England and circulated to Standards Committee members on 2 July 2009.

Queries were raised regarding section 30 on page 9 of the guidance and section 43 on page 12. The Monitoring Officer advised that a cautious approach be taken to the suggestion in section 30 that views on other action be sought on receipt of a complaint, as this could amount to pre-judgement. He agreed to seek clarification on section 43, which appeared to conflict with other guidance.¹

The Chair then drew attention to the guidance issued by Standards for England on Joint Standards Committees, which highlighted the requirement for standards committees to be chaired by an independent member and advised that the Vice Chair should also be an independent member.²

RESOLVED: That the issues raised by Members on the guidance be noted and that the Monitoring Officer take action where required.¹⁻²

REASON: To ensure clarity with regard to the role and composition of the Standards Committee.

Action Required

- | | |
|---|----|
| 1. Seek clarification on section 43 of the guidance | TP |
| 2. Seek Council's views re possible appointment of independent Vice Chair | TP |

19. INDUCTION PACK FOR INDEPENDENT MEMBERS

Members discussed the potential provision of an induction pack for new Independent members of the Standards Committee.

It was suggested that the pack could include, for example:

- Useful e-mail and web addresses
- Information from Standards for England
- A copy of the Code of Conduct
- A copy of the Constitution (possibly on DVD)
- A chart showing how the Council was organised

There might also be a process for inviting prospective members to attend meetings of the Standards Committee and/or other council meetings.

During their discussions, Members suggested that the training pack should be available for all members and substitute members of the Standards Committee, new and existing.

RESOLVED: That the Monitoring Officer prepare a report for consideration at the next meeting, including a draft list of documents to be included in the training pack.¹

REASON: To enable the Committee to make an informed decision.

Action Required

1. Prepare report for next meeting TP

20. REVIEW OF WORK PLAN

Members reviewed the work plan for the Standards Committee for the 2009/10 Municipal Year.

RESOLVED: That the draft work plan for 2009/10 circulated with the agenda be approved, subject to the following amendments:¹

a) Meeting on 23 October 2009

Add:

- Induction / training pack for members of Standards Committee

Remove:

- Member Development Steering Group - Progress Report

b) Meeting on 18 December 2009

Add:

- Member Development Steering Group – Progress Report

REASON: To reflect changes agreed at the meeting and to ensure an organised programme of work for the Committee.

Action Required

1 Amend work plan as agreed TP

PART B - MATTERS REFERRED TO COUNCIL

**21. REVIEW OF THE PROTOCOL ON OFFICER/MEMBER RELATIONS:
REFERENCE BACK FROM COUNCIL**

Members considered a report which asked them to re-consider the draft Protocol on Officer / Member relations, in view of the decision made by Full Council on 9 July to refer the draft Protocol back for further amendments. The relevant Council minute was attached as Annex A to the report.

The referral back was due to an issue raised by a Member on the wording of paragraph 3.2 of the draft Protocol, namely the phrase '*acceptance of professional advice*'. It was felt that this could curtail the right of councillors to challenge the professional advice provided by officers.

Having considered the matter in the light of the Ethical Governance Health Check which had led to the revision of the Protocol in the first place, the Monitoring Officer suggested that the words '*acceptance of*' be replaced by '*respect for*'. This amendment had been incorporated in the revised draft Protocol attached as Annex B, together with some further changes to paragraph 9 intended to clarify some of the issues relating to Council Members' access to information and ensure that the Protocol accorded with legal requirements in this respect. Members were invited to endorse the revised Protocol and refer it to the next full Council meeting for consideration.

RECOMMENDED: That the revised draft Protocol, incorporating amendments to paragraphs 3.2 and 9, be approved.

REASON: In accordance with the requirements of the Constitution, and so that Members can be satisfied that the draft Protocol has now taken into account the matter raised at the last Council meeting and the need to clarify issues in relation to Members' rights to access to information.

C Bainton, Chair

[The meeting started at 3.05 pm and finished at 4.40 pm].



Standards Committee

20 November 2009

Report of the Head of Civic Legal and Democratic Services

Member Training and Development Policy

Summary

1. This report informs members of a proposed Member Training and Development Policy which has been developed in consultation with the Member Development Steering Group and is aimed at establishing a framework for providing effective development to York's elected members.

Background

2. The Council is currently working towards achieving I&DeA Charter status in Member Development by improving its approach to the provision of development opportunities for elected it's Members.
3. In order to achieve Charter status the Council must demonstrate it's commitment to developing its elected members and must put in place a policy for delivering that training and development.

Member Training & Development Policy

4. The aim of the Member Training and Development Policy is to provide clear direction and purpose with regard to the provision of training and development opportunities for York's elected members
5. The Member Development Steering Group has made a public commitment within the policy to ensuring Council Members are well trained.
6. The policy therefore aims to support all councillors in their varying roles taking account of their individual needs and assisting them in:
 - Carrying out their existing roles efficiently
 - Preparing for future roles
 - Undertaking specific duties and responsibilities
 - Contributing to the effective organisation of the Council
 - Keeping up to date with new legislation

7. Included in the policy are a range of training and development options which can be delivered by the Council's own experienced and skilled officers or by using specialist external training providers. These include induction training for new members, a core programme of development activities, Personal Development Reviews, as well as the opportunity to attend seminars and external conferences
8. The policy also supports the diverse personal needs of individual councillors and recognises the importance of equal opportunity and access to learning and development e.g. for councilors with caring responsibilities
9. Other key aspects to the policy include setting out how the Council and the MDSG will approach promoting and communication training and development and how its success will be measured, through monitoring and evaluation. In addition, the policy details how its aims will be delivered and what resources are being provided by the Council

Consultation

10. The policy has been drafted in consultation with the Member Development Steering Group. Mike Leitch, representative for Local Government Yorkshire and Humber, has commented upon the policy and confirmed it will satisfactorily meet the criteria required by the Charter. In addition, the report has been forwarded to the Council's equalities officer for comment, however at the time of publishing this report no response had been received. Any comments received after publication of the report will be reported at the meeting.

The next stage in working towards Charter status is to arrange for an initial assessment to take place in order to identify any areas for improvement before the final assessment takes place in 2010.

Options

11. (a) To recommend the Policy as set out in Annex A to Full Council
or
(b) To recommend the Policy as set out in Annex A to Full Council with suggested amendments

Corporate Priorities

12. The Member Training and Development Policy directly supports the Council's Corporate aim of providing of strong leadership, supporting and developing people and encouraging improvement in everything we do.

Implications

13. The following implications have been considered:

- **Financial** – Any financial costs associated with the Member Development policy will be met from the existing £10K Member Development Budget managed and monitored by the Senior Member Support Officer
- **Human Resources (HR)** – Any HR issues arising from the policy relate to trainers and staff support for member development
- **Equalities** – The policy addresses equality and diversity issues on a number of levels from the provision of a range of accessible training options to supporting individual members with specific needs
- **Legal** - There are no legal implications associated with this report.
- **Crime and Disorder** – There are no crime and disorder implications associated with this report
- **Information Technology & Telecommunications (ITT)** – Any ITT implications associated with this report relate to the provision of ITT equipment, ITT training and ITT support currently available to members
- **Property** – There are no property implications associated with this report
- **Other** – There are no other implications associated with this report

Risk Management

14. In compliance with the Council's risk management strategy, there are no risks associated with the contents of this report other than if this Committee were not to make a recommendation to approve the policy. Not having a policy for Member Training and Development in place will mean failure to achieve Charter status.

Recommendation

15. Members are asked to recommend adoption of the policy by Full Council

Reason

16. In order to comply with the requirements of the I&DeA Charter.

Contact Details

Author:

Amanda Oxley
Senior Member Support Officer

Dawn Steel
Democratic Services Manager

Chief Officer Responsible for the report:

Alison Lowton
Interim Head of Civic Democratic and Legal Services

Report Approved

Date 7 August 2009

Specialist Implications Officer(s)

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None.

Annexes:

Annex A –Member Training & Development Policy

Member Training & Development Policy



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Member Development Policy Statement - A Commitment

The Member Development Steering Group (MDSG) has overseen the development of a policy aimed at promoting training and development opportunities for York's elected members.

The Steering Group is committed to ensuring the Council has well trained Members to:

- become effective Community Leaders;
- fulfil their varying roles;
- further the Council's values and priorities set out in its Corporate Strategy, including improving the Council's organisational effectiveness; and
- play their part in achieving a shared vision for York.

Underpinning this commitment, the Group has developed a policy based upon the following principles of the joint Local Government Yorkshire & Humber/Improvement & Development Agency (ID&eA) Charter.

- developing elected members as effective community leaders
- adopting a member lead strategic approach to member development
- having a member learning and development plan in place that clearly identifies the difference development activities can make
- ensuring that learning and development is effective in building capacity
- addressing wider development matters to promote work-life balance and citizenship

To succeed in its ambitions, the Group is committed to ensuring:

- All members and co-opted members have equality of access to an annual core programme of training and development activities providing the skills and knowledge required to be effective both in their communities and their varying roles
- A planned and structured approach to training and development allowing equal access to development activities and maximising engagement at all levels
- Members take responsibility for their own development needs and fully participate in training and development activities
- Information on training and development activities is communicated in such a way as to give sufficient notice to attend
- adequate provision of resources for training and development opportunities to include a dedicated officer (Senior Member Support Officer) as first point of contact for all Member Training and Development matters
- all Members are offered an annual Personal Development Review with the aim of identifying and prioritising current training and development needs
- Where appropriate, shared training for members, senior officers and partners both within and across authorities is explored, to foster healthy working relationships and to make best use of resources
- there are no physical, social, religious or cultural barriers to Members participating in training and development activities
- evaluation and feedback relating to development activities are effectively monitored and reviewed so that future provision of training and development remains relevant and to a high standard

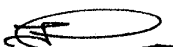
The delivery of our ambitions and commitment to developing Members to their full potential is set out in the Council's Member Training & Development Policy, which we will review annually.



Councillor Carol Runciman
Chair of Member Development Steering Group



Councillor Sian Wiseman
Member Development Steering Group



Councillor Julie Gunnell

Member Development Steering Group

Member Training & Development Policy

Introduction

It is vital that members on the Council are supported in all their diverse roles on the Council and this policy sets out the Council's commitment to providing a consistent and structured approach towards developing and supporting members in:

- Carrying out their existing roles efficiently, including effective community leadership;
- Preparing for future roles on an individual basis;
- Undertaking their specific duties and responsibilities;
- Contributing to improving the effective organisation of the Council;
- Keeping up to date with new legislation and changing policies

To demonstrate its commitment in recognising the potential and value of a well trained organisation, the Council has signed up to achieving Local Government Yorkshire & Humber/ I&DeA Member Development Charter status, pledging to adopt nationally recognised good practice guidelines .

Being Corporate

City of York Council's revised Corporate Strategy sets out the Council's new strategic priorities for the period 2009/2012. As well as demonstrating to the city as a whole the work we are doing for our communities, it also gives all teams in the council, however different in their day to day work, a shared purpose.

The Corporate Strategy has eight themes:

- Thriving City – supporting York's successful economy
- Sustainable City – focussing on reducing our impact on the environment
- Safer City – reducing crime rates
- Learning City – providing local people with the opportunities to develop their skills and aspirations
- Inclusive City – making sure all citizens regardless of race, age, disability, sexual orientation, faith or gender feel included in the life of York
- City of Culture – inspiring residents and visitors to explore their creative talents
- Healthy City – providing healthier lifestyle choices and responsive health and social care provision
- Effective Organisation – Improving further its organisational standards to become a modern council and a great place to work

The Council recognises that one of the many factors in achieving its shared vision for the City in the provision of good quality training and development opportunities for both officers and members and these are identified as key areas for improvement in the Council's single improvement plan.

A Councillor's Role

Once elected a councillor (elected Member) must represent the best interests of their residents, the Council and the City working in partnership. In performing their duties, a councillor will have the following roles:

- Representing the local interests of the community they are elected to serve (ward councillor)
- Setting and developing council policies
- Helping to shape and advise upon the policies of others (partners with whom the Council works)
- Scrutinise and investigate the Council's work and activities and the work and activities of others (statutory partners)
- Promoting and maintaining high standards of behaviour across the Council and its parishes
- Consider and determine applications for planning and licensing consents and related issues

In addition to their roles as community representatives councillors may be appointed to:

- The Executive
- Scrutiny
- Planning
- Standards or governance committees
- Outside Bodies
- Local Strategic Partnerships (LSP) Boards
- Ward Committees

This policy is built around supporting all councillors in their particular roles, taking account of their diverse needs.

The Aims

- To ensure that support is available enabling individuals to acquire and develop a full range of skills to maximise their ability and capacity to deliver
- To encourage councillors to take responsibility for their continuing professional development whilst reinforcing that they are key to enabling the Council to achieve its aims and objectives
- To clearly define corporate responsibilities for officers in relation to member training and development, including a named officer with a co-ordinating role
- To identify adequate resources to meet the objectives of the learning and development programme

In fulfilling these aims we will observe the following **key principles**:

- provide a planned approach to Member Development
- involve Councillors in their learning and development, from planning the learning programme through to delivery and evaluation
- maximise development opportunities for Councillors through partnership with other organisations and neighbouring authorities

- ensure that the contribution that member learning and development makes to meeting the Council's aims is evaluated and recognised
- support individual learning and development valuing and recognising the skills and experiences that councillors bring with them
- identify individual development needs through a focussed approach to personal development
- adopt a Member Development Programme with clear objectives and links to the aims of the Council, the roles and functions of members and the key changes affecting the Council's priorities
- deliver training and development in innovative ways to make the best use of the resources available to the Council;
- ensure that every member takes responsibility for their own learning and self development
- be flexible about the delivery of training and development, taking into account the diverse needs of individual councillors
- encourage and support mentoring both within party groups 'buddying' and by use of I&DeA peer mentors
- support members with caring responsibilities

Supporting the Aims

The following resources and support will assist in delivering the aims and key principles of the Member Training & Development Strategy

The Member Development Steering Group (MDSG)

The MDSG is made up of representatives from all parties who will oversee all Councillor training and development on behalf of the Council and will lead on the development of relevant strategies, policies and programmes for councillors.

Each member of the MDSG will act as an ambassador for training and development and positively support and encourage other Councillors to identify training needs and take advantage of development opportunities.

In particular the MDSG will:

- Ensure that a comprehensive induction programme in all appropriate Council functions and services is made available to all newly elected Councillors
- Ensure that all Councillors are encouraged to take part in a Personal Development Review (PDR) on an annual basis
- Ensure that an annual programme of development opportunities is provided meeting the identified needs through the PDR process and that delivery reflects individual learning style preferences
- Facilitate new approaches to learning and development and to encourage a culture of lifelong learning
- Review the Member Development Policy annually to ensure that it remains fit for purpose and continues to support the Council's aims and the needs of Members
- Encourage the Council and all councillors to actively promote citizenship
- Encourage the Council to promote community leadership and Councillors to develop their roles as community leaders

Member to Member Support

Members will be encouraged to share their knowledge and expertise with fellow members, where appropriate, by:

- leading workshops
- supporting newly elected mentors (buddying)
- speaking at external conferences & seminars in their capacity as an elected member
- considering the opportunity to become an accredited peer with the ID&eA which involves mentoring elected members from outside the authority and being involved in the delivery ID&eA seminars and conferences

All of the above activities and opportunities can be explored through the personal development planning process. The benefits of engaging in such activities are considerable for those involved and are a valuable addition to Members' individual training profiles.

Officer Support

Democratic Services will support training and development by:

- Providing the main support officer for all Councillor training and development, who is the Senior Member Support Officer, and ensuring that all members are clearly aware of training and development opportunities in good time;
- Providing officer support in relation to the preparation of agenda and minutes relating to meetings of the MDSG
- Providing 1-2-1 support to newly elected members as part of their planned induction programme
- Devising and delivering in consultation with the MDSG a programme of induction training for new Councillors
- Devising and delivering, in consultation with the MDSG, a comprehensive annual training and development programme for all Councillors based on the needs identified through PDR's and other essential training;
- Provide administrative support for all training and including communication with Members and provision of feedback to providers;
- Managing the member training budget in consultation with the Member Development Steering Group;
- Advising and assisting the MDSG in carrying out their role

ITT Resources and Support

ITT equipment: is made available to each member upon election to enable:

- More effective communication with residents, the Council and it's partners
- The opportunity to explore e-learning/distance learning
- Self development opportunities e.g. researching information on the internet

Broadband Connections: are either paid on behalf of Members or reimbursed on a monthly basis depending on the broadband package.

ITT support: is made available via the Council's ITT helpdesk including out of hours assistance. Members also have access to the ITT on-line help facility.

Budget

The Council allocates a Member Development Budget each year against which the MDSG monitors spending. In addition, from time to time regional funding is made available for specific areas of training and development, e.g. IT, mentoring etc. Where appropriate training and development opportunities will be opened up to neighbouring Council's at a nominal charge to help maximise resources.

Expenses incurred by Members attending training and development events will be reimbursed under the Members Scheme of Allowances and in accordance with an agreed protocol .

Delivering Our Aims

Elected and co-opted Members have a diverse range of development needs and learning preferences which will be delivered through a range of options to both provide and promote that diversity. Whether delivered through the Council's internal expertise or through specialist external training providers, access to training will be offered as follows:

- Core programme courses
- Pre-Council Seminars, in-house briefings and workshops
- External conferences and seminars
- Written learning materials
- Peer mentors, political group/officer buddying
- E-Learning packages
- Study visits to other Councils or relevant partners
- Targeted training for newly elected Members
- Shadowing opportunities
- Sharing knowledge with other elected and co-opted Members
- Leadership development opportunities

Specifically, the key strategic elements are:

Induction:

A **comprehensive induction programme of training** for every newly elected Councillors, enabling them to 'fast track', learning about the organisation and supported by the following:

- an induction day to meet key senior Councillors and Officers and learn more about corporate and constitutional processes
- a 1-2-1 with the Senior Member Support Officer to discuss the support available to them and to identify any individual needs or concerns confidentially;
- an induction pack setting out the entitlements, support and guidance available, together with other useful information about the Council and it's processes;
- a six month review (1-2-1) to check 'satisfaction' levels and to identify any areas of concern

Personal Development Reviews:

- A personal development review (PDR) for all Councillors to identify individual needs in a safe and confidential environment with a trained consultant. A confident Councillor will naturally be more effective in taking forward the Council's improvement agenda and ensuring the delivery of strategic aims and priorities.
- An annual PDR review to check how the outcomes from the PDR have progressed and review individual development or training needs as a result of changes in roles, lifestyle or working practices;
- An annual review by MDSG relating to the personal development review process. Such a review will look at outcomes from the process and actual reviews undertaken and identify any key themes which need to be fed into the Annual Core Training & Development Programme for Councillors.

Core Annual Training & Development Programme:

An annual core programme will be developed in consultation with the MDSG based on:

- identified needs from Personal Development Reviews (PDR's);
- the requirements of new legislation and emerging corporate themes;
- the Corporate Strategy and emerging corporate themes;
- ethical and governance requirements and changing standards;
- the impact of any scrutiny recommendations in terms of changing corporate practice;
- emerging themes or developments from partners

Seminars and External Conferences

- Attendance at seminars and conferences to inform learning on specific and specialist subjects, for instance as an Executive or Scrutiny Member or serving on a particular Committee;
- A commitment from each groups elected representative on the Steering Group (MDSG) to gain feedback from group Councillors attending conferences etc, to assist in future proofing conferences/seminars;
- A protocol to manage attendance at external conferences/seminars will be overseen by the Steering Group (MDSG) to ensure the Member Development Budget is spent appropriately

Our Approach to Communicating and Raising Awareness

Communicating the commitments set out in this policy is essential to delivering successful training and development for Members. This will be achieved through:

- The Steering Group creating a supportive environment in which all Members feel able to take part in and take control of their own learning and development ;
- The role of the Council's Management Team in reinforcing the Council's commitment to developing officers and Members alike and raising the profile and awareness of this policy and the commitments within it;
- The Senior Member Support Officer in providing advance notification of the core programme and events, involving and informing Members as early as possible and proactively seeking their engagement;
- Provision of IT&T, in terms of using the intranet and other means to provide ongoing information on the policy, the core programme, emerging training opportunities and the Council's evolving approach to developing Members.

Our Approach to Monitoring & Evaluation

To be of real benefit, effective training has to try to match the needs of Members, the objectives of the organisation and its partners in achieving a shared vision for York.

It is essential therefore that all provision is reviewed for relevance and effectiveness. Monitoring and evaluation processes and outcomes will:

- be open and constructive, enabling any necessary enhancements to be made to future delivery;
- be regularly monitored by MDSG and Standards Committee, to ensure delivery of objectives and continuous improvement;
- be clearly communicated to Members and the public, through the reporting arrangements to MDSG and Standards Committee;
- set clear standards for achievement. Members will be required to attend a minimum number of training & development activities in a year (12 for Executive Members and 8 for non-Executive Members);
- ensure Members achievements are recognised and acknowledged both individually and within the political groups
- encourage Members to be self-aware in recognising their strengths and weaknesses;


Set out on the next page is the intended cycle of monitoring and evaluation arrangements

MONITORING AND EVALUATION REPORTING CYCLE			
Review	Steering Group	Standards Cttee	Full Council
Annual review of policy	October	November	December
Bi-annual monitor of take-up and evaluation of events	November	January	February
	May	June	July
Annual budget monitor	January	January	February
Agree Member Development Programme	March	April	April

Looking to the Future

This policy presents a corporate approach for the provision and delivery of all elected Member training and development, setting out strategies for communicating, monitoring and evaluating training provision.

The Policy will be reviewed annually by the Member Development Steering Group to ensure that it appropriately reflects the Council's approach towards Member training and development and that provision continues to meet the needs of the organisation and its Members.

	
STANDARDS COMMITTEE	20 TH NOVEMBER 2009
Report of the Interim Head of Civic Democratic and Legal Services	

REVIEW OF THE OPERATION OF THE LOCAL ASSESSMENT OF COMPLAINTS FRAMEWORK

Summary

1. This report contains summary information on the numbers and types of complaints received by the Council since the introduction of the local assessment of complaints. It also makes some proposals for improving the current process.

Background

- 2 The local assessment of complaints was introduced from May 2008 by the Local Government and Public Involvement in Health Act 2007 which amended the Local Government Act 2000. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and the requirements for dealing with this.
- 3 The regulations set out the framework for the operation of a locally-based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committees) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

Statistical Information

- 4 It is now some 18 months since this change was introduced and this is a good point at which to assess how this has operated locally.
- 5 Since May 2008, 7 complaints have been referred to the Assessment Sub Committee. Some of these were multiple complaints and in total 22 councillors were complained about. Of these 6 were parish councillors (4 from the same parish council) and the remainder were City of York councillors.
- 6 The complaints were largely about treating others with disrespect, bringing the authority or the office of councillor into disrepute or failure to declare an interest (both personal and prejudicial)

- 7 Only two of the complaints were referred for investigation. The rest led to a decision of no further action save for one multiple complaint about members of a parish council which led to a recommendation for further training.
- 8 Three 'no further action' decisions were subject to reviews following requests by the complainant and all of these confirmed the original decision.
- 9 The two cases which were the subject of an investigation resulted in a hearing related to one alleged breach of the Code. The Hearings Sub Committee decided that there was no breach of the Code in this case. There is a further outstanding review which is due to be considered prior to this meeting of the Standards Committee.
- 10 Anecdotally, this information suggests that the Council has received a slightly lower than average number of complaints under this new framework. Standards for England collates statistical information on the numbers of complaints and their disposal. This is not broken down by authority but their website indicates that during the period from May 2008 to June 2009 complaints were split across authority types as follows:

Authority types	Number of cases	Average number of cases per authority
County Council	155	5
District Council	2112	9
London Borough	128	4
Metropolitan Council	412	12
Unitary	736	16
Other	15	0

- 11 29% of cases were referred for investigation (which is a higher percentage than in this authority) and 53% of cases led to no further action at the assessment stage. This is lower than the percentage in York. Reviews were requested in 37% of cases. This is higher than the percentage of cases reviewed here.
- 12 It has not proved possible to undertake a qualitative assessment of the management of the cases in the time available. The Standards Committee might wish to consider whether this would be a useful activity or whether it might be more sensible for it to receive a further report in 6 months time with a qualitative assessment of cases dealt with during that period.
- 13 The recent hearing suggested that there maybe issues which could usefully be considered by the Standards Committee as a learning point. This might in particular look at the time and resources devoted to complaints and the application of the assessment criteria. As the

outcome was for no further action the councillor concerned has the right to ask for there to be no publicity. At the time of writing the decision notice is still in draft and we have not yet sort the views of the councillor concerned. Any discussion at the meeting will need to take the position at that time into account.

- 14 I have also not looked in detail at the time taken to deal with complaints but my impression is that these are currently being dealt with within agreed timescales.

Procedure

- 15 The Standards Committee should have agreed a pre hearing process and a procedure for conducting hearings of complaints. It has recently become clear that it has not yet done so. This did not have a negative impact on the recent hearing but it is imperative that a procedure is put in place as quickly as possible. In the meantime, we will use the Standards for England guidance if it is necessary to proceed to a hearing before a process is agreed.

Options

- 16 This is largely an information report for the Standards Committee but the Committee should consider whether to ask for a further evaluation of the quality of the decision making for cases already dealt with or whether to receive a further report in 6 months with a qualitative assessment of cases dealt with during that period.
- 17 the Standards Committee is also being asked to agree to approve a pre hearing and hearings procedure at its next meeting. It does not have the option not to do this.

Corporate Priorities

- 16 The Standards Committee's management of the local assessment framework contributes to its key role in maintaining high ethical standards. This in turn is an essential part of the 'Effective Organisation' strand of the Corporate Strategy. Effective ethical governance is a key aspect of corporate governance overall which is an important priority for the Council.

Implications

17.

- (a) **Financial** none
- (b) **Human Resources (HR)** None.
- (c) **Equalities** None

(d) **Legal** – None beyond those contained in the report.

(e) **Crime and Disorder** None

(f) **Information Technology (IT)** None

(g) **Property** None

(h) **Other** None

Risk Management

14. There are no risks associated with agreeing the recommendations. There is a risk in not agreeing to adopt a full pre hearing and hearings procedure.

Recommendations

15. The Standards Committee is asked to consider:
- a) how it wishes to take forward any further review of the local assessment framework.;
 - b) to receive a report to approve pre hearing and hearing procedures at its next meeting.

Reason:

To ensure that the Standards Committee maintains proper and effective oversight of the local assessment framework

Contact Details

Author:	Chief Officer Responsible for the report:		
Author's name Alison Lowton Title Interim Head Civic Democratic and Legal Services Dept Name Chief Executive's Tel No. 01904 551004	Chief Officer's name Alison Lowton Title Interim Head Civic Democratic and Legal Services		
	Report Approved	√	Date 9/11/09
Specialist Implications Officer(s) None			
Wards Affected: <i>List wards or tick box to indicate all</i>			All x
For further information please contact the author of the report			

Background Papers:


Information taken from minutes of Standards committee sub committees
Information from Standards for England

(Available on the Council's website(*save where this is exempt from disclosure*) and that of Standards for England)

Annexes

None

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STANDARDS COMMITTEE	20 TH NOVEMBER 2009
Report of the Interim Head of Civic Democratic and Legal Services	

OUTSTANDING ISSUES

Summary

1. There are a number of outstanding issues and reports on the Committee's Forward Plan and this report summarises them and explains the current position.

Background

- 2 The Standards Committee should have had a meeting in October but this was cancelled as the previous Monitoring Officer had left the Council and the reports which were due to come to that meeting had not been prepared. In addition, the meeting on the 18th December has been cancelled and matters on that agenda brought forward to this one where that has been possible. This agenda contains a review of the operation of the local assessments of complaints framework (which was due to come to the Committee in October) and a report on the Member Development Steering Group (which was due to come in December).
- 3 There are one or two other issues which still require to be reported. These include the Review of the Planning Code of Practice as there has not been enough time to do this and it is proposed that this is brought back to the Committee for its January meeting at the earliest..
- 4 This report attempts to deal with other outstanding issues which were listed as requiring reports on the Committee's Forward Plan but which can be dealt with in one summary report.

Induction pack for Independent members

- 5 The October meeting was due to receive a report on an induction pack for new independent members. The report was to consider a draft list of documents to be included in any such pack. A member's Handbook is at the planning stage for all members, including co-opted and independent members and it would be a duplication of activity to prepare a separate pack for independent members of this Committee. It is therefore proposed that the Standards Committee reviews the

proposed contents of the members handbook when it is available and makes suggestions for additional items.

Member-Officer protocol

- 6 The proposed agenda for the December meeting included a report on the results of the Monitoring Officer's discussions with the Audit Commission regarding monitoring the effectiveness of the new member/officer protocol. However as the protocol was only agreed at the Council meeting on 15th October it is a bit premature to be discussing how to monitor its impact.
- 7 No dissemination or training programme seems to have been agreed to support the introduction of the new protocol and this is now a priority. This may also be something on which the Audit Commission could assist . I have been in contact with the Council's auditor and will have met with him before the committee meeting. In addition, there are one or two proposed training events within the member Development programme which we may use to launch the new protocol more formally. Again I will be able to report this in more detail to the meeting following meetings that I will have had by then.
- 8 The previous Monitoring Officer had suggested that the auditor provide information on Councils with notable practice with which York could share information. I have looked at the list provided by the auditor and will bring more details to the meeting.

Joint Committees

- 9 Another outstanding item for the December meeting was about reporting the Monitoring Officers inquiries about the possibility of pursuing joint standards committees with the Police and Fire Authorities. At this stage, no inquiries seem to have been made. However it is clear from the North Yorkshire Police authority website that they intend to pursue a joint standards committee across all the Yorkshire police authorities. There would seem little point in this Council's Standards Committee separately pursuing a joint standards committee and involvement in a cross Yorkshire police authority joint committee may mean that issues for the Council become lost. Nothing has been done in relation to the Fire Authority but this can be pursued if the Committee still wish to.

Options

- 10 The Standards Committee is being asked to agree whether and how best to pursue its current work programme. It either has the option to do this or develop an alternative or amended one.:

Analysis

- 11 Essentially this report has been about pursuing the Standards Committee's current work programme. Agreeing these recommendations would maintain that.

Corporate Priorities

- 12 The Standards Committee's work programme is an essential part of the 'Effective organisation' strand of the Corporate Strategy. In addition, effective ethical governance is a key aspect of corporate governance overall which is an important priority for the Council.

Implications

13.

- (a) **Financial** There may be some cost involved in promoting the new officer – member protocol but this has yet to be determined and in any event will need to be contained in existing budgets.
- (b) **Human Resources (HR)** There may be some involvement of HR in taking forward the officer element of the member-officer protocol but these discussions still need to take place.
- (c) **Equalities** None
- (d) **Legal** – None beyond those contained in the report.
- (e) **Crime and Disorder** None
- (f) **Information Technology (IT)** None
- (g) **Property** None
- (h) **Other** None

Risk Management

14. There are no risks associated with agreeing the recommendations.

Recommendations

15. The Standards Committee is asked to agree:
- A) to receive a report on the Review of the Planning Code of Practice at its January meeting.

- B) review the proposed Members' Handbook to ensure that it contains appropriate material for members of the Standards Committee..
- C) further action in relation to the member-officer protocol following an oral update from the Monitoring Officer at the meeting
- D) whether to pursue the issue of a joint committee with the police and fire authorities

Reason:

To take forward the Committee's work programme

Contact Details

Author:	Chief Officer Responsible for the report:		
Author's name Alison Lowton Title Interim Head Civic Democratic and Legal Services Dept Name Chief Executive's Tel No. 01904 551004	Chief Officer's name Alison Lowton Title Interim Head Civic Democratic and Legal Services		
	Report Approved	√	Date 9/11/09
Specialist Implications Officer(s) None			
Wards Affected: <i>List wards or tick box to indicate all</i>			All x
For further information please contact the author of the report			

Background Papers:

Standards Committee work plan agreed on 28 August 2009
Minutes of previous Standards Committee meetings

(Available on the Council's website)

Annexes

None

2009/2010 Work Plan for Standards Committee

Ongoing Activities

Local assessment of complaints

Standards Board Guidance

Member and Officer Training

<u>Item</u>	<u>Meeting Date</u>	<u>Notes</u>
Review of Planning Code of Good Practice	23 October 2009	
Report on Substitutes for Standards Committee	23 October 2009	
Review of Operation of Local Assessment of Complaints Framework	23 October 2009	
Induction / Training pack for Members of Standards Committee	23 October 2009	
Follow up to Ethical Governance review – report on results of Monitoring Officer’s discussions with the Audit Commission	18 December 2009	
Results of the Monitoring Officer’s enquiries regarding Joint Committees	18 December 2009	
Member Development Steering Group – Progress Report	18 December 2009	
Report on promoting the work of the Standards Committee	22 January 2010	
Reports on Members’ and Officers’ Registers of Gifts and Hospitality (including details of current practice throughout the Council on the Officers’ Register)	22 January 2010	
Review of Members’ Declarations of Interest	1 April 2010	

Items for 2010/11 Municipal Year (dates tba):

- *Corporate Complaints Review (annual, following introduction of new system in September 2009)*
- *Annual Report to Council*