

Bulletin

January 2003 Issue 09



A happy New Year to all our readers.

We started 2003 with The Adjudication Panel for England's first ever decision. The Ethical Standards Officer's judgement in referring the case was vindicated by the Adjudication Panel's decision to disqualify the member from office for one year. We report on the Adjudication Panel case below.

The Standards Board welcomed the Adjudication Panel tribunal's decision. We will continue to promote the Code of Conduct through investigating alleged breaches of the Code and issuing guidance. Discussion and interaction with monitoring officers, members and standards committees are vital to this work. In 2003 we will work in partnership with you and talk to you at our roadshows and various conferences, and through publications both on and offline. The Second Annual Assembly of Standards Committees conference (ICC Birmingham, 9 – 10 June 2003) will take a practical approach to the Code, with workshops and discussions targeting the needs of standards committees in the hands-on business of making the Code work.

Allan Cairns, Chief Executive

Adjudication Panel makes first decision

The first ever Adjudication Panel tribunal hearing took place on 16 January 2002. The hearing followed an investigation by The Standards Board for England into Councillor Chris Garner's refusal to register his interests. Councillor Garner refused on principle to sign his register of interests, as he was legally obliged to do by Paragraphs 12 and 13 of the Code of Conduct for Parish Councils, even though he had signed a written undertaking to comply with the Code. A summary of the case, including the Ethical Standards Officer's and The Adjudication Panel tribunal's decisions are online at www.standardsboard.co.uk/cases/authorities_k/K_SBE195_02.php

Tony Holland, The Standards Board for England's Chair, responded to the Adjudication Panel's first judgement by underscoring why the Code exists: "We want the public to have confidence in local democracy. The vast majority of members meet and exceed the standards. When a minority falls short they let everybody down and it is right that they are called to account".

For more details of the Adjudication Panel's decision, go to www.adjudicationpanel.co.uk/decisions/recent_decisions.htm

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News in brief

Media response to the Adjudication Panel's first decision

There was considerable media interest in the first decision of the Adjudication Panel. The Standards Board would like to take this opportunity to correct some of this coverage. In response to the suggestion that telephone conversations were taped without participants' knowledge, The Standards Board's Chair, Tony Holland, stated, "Our rules stipulate that we do not record conversations without the participants' expressed understanding. We forward interview notes to all participants so that they may comment on their accuracy".

Copy me in...

We are aware that some monitoring officers are concerned that The Standards Board has communicated directly with Standards Committees without the monitoring officer's knowledge. There are times when such direct contact between the Chairs of Standards Committees and The Standards Board is appropriate. However, in such situations, we make every effort to copy in the monitoring officer involved.

Roadshows roll on

The New Year has kicked off at a tremendous pace for the Communications team, who organise the roadshows, with three days of nine events in January alone. Just over halfway through the energetic schedule, the roadshows involve 26 separate events in nine locations countrywide. Communications Advisor, Clare Stephenson, who manages the roadshows, said "Despite the often hectic pace, there is a real buzz when we are working on the roadshows. Feedback has been extremely positive. We have worked hard to develop the roadshows in response to earlier feedback. The roadshows make us able and available to talk with you. It is incredibly

important to us to listen to the views of those working at the local level".

For the 2003 roadshow schedule, see the events section below.

Countdown to Birmingham: a practical approach

The Second Annual Assembly of Standards Committees conference promises to be a challenging, informative and stimulating event. Spread over two days the emphasis is on a practical, workaday approach to the Code of Conduct. Workshops examining topics as diverse as the Multiple Monitoring Officer, mediation and conciliation, Section 66 and communicating to build confidence will run over the two days. To accompany the practical workshops a number of thought-provoking plenary sessions are also planned, including a speech from Nick Raynsford, MP.

Further details of the event will be mailed to all monitoring officers during February. Tim Bogan, Head of Communications at the Standards Board, said "This year's conference will provide a great opportunity for members and officers to come together and discuss how to tackle many of the new issues that have arisen from the Code's implementation". For more information about the conference please contact Benedict Business Resources on 01483 205 432.

Case summaries online

The Standards Board now publishes online summaries of all cases that have been decided by the Ethical Standards Officers. Please go to www.standardsboard.co.uk/cases/index.php

The summaries contain an outline of the case and a detailed summary of the Ethical Standards Officer's conclusions, as well as the relevant sections of the Code of Conduct.

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More cases are appearing everyday and there are already over 100 case summaries to read. The backlog of cases should be cleared by the end of March 2003, which will bring the figure closer to 300 cases online, with at least 20 summaries added weekly.

The summaries are listed alphabetically by authority. However, it is easy to pinpoint a particular case by using the search engine for the main site. A member's name, date or specific area will bring you to the correct page.

If you have any comments, complaints or queries about the case summaries, please contact the Case Summaries Editor, Dr Shirley Dent at shirley.dent@standardsboard.co.uk

If you need legal advice on the Code of Conduct...

The Standards Board's own specialist legal team are on hand to help with monitoring officers' legal inquiries regarding the Code of Conduct. The team consists of Chris Boothman, Head of the Legal Services, who is supported by three Legal Advisors, David Abrahams, Natalie Birtle and Claire Lefort. Their contact numbers are:

Chris Boothman	020 7378 5090
David Abrahams	020 7378 5092
Natalie Birtle	020 7378 5192
Claire Lefort	020 7378 5086

The dedicated legal team fax number is 020 7378 5198.

Policy and Guidance Publishing Programme

The Standards Board's Policy and Guidance team plan to publish the following guidance in 2003:
Independent Members of Standards Committees
Standards Committees and Additional Terms of Reference
Guidance on Section 66 regulations

In addition the legal team is preparing a legal guide to the Code of Conduct. This guide should be available in time for the Annual Assembly of Standards Committees conference in June.

Events

2003 roadshow timetable

The Standards Board roadshow programme for 2003 is as follows:

Leeds City Council	Thursday 6 February
Taunton Deane Borough Council	Tuesday 18 February
Durham City Council	Wednesday 5 March
Nottinghamshire County Council	Thursday 27 March

For more information on the roadshow programme, or to book your place, please call our event managers, Benedict Business Resources, on 01483 205 432, or email benedictbr@btinternet.com

Conference programme

In addition to our County Association presentations, The Standards Board will once more be exhibiting at various conferences throughout 2003. The programme is currently timetabled as follows:

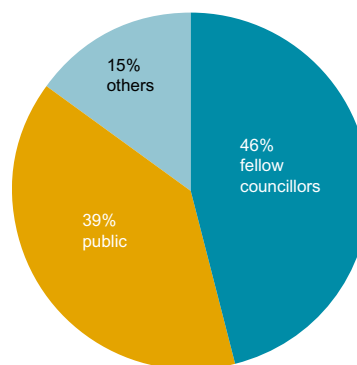
Labour Party Spring Conference, Glasgow	14–16 February
Local Government Association Conference, Harrogate	2–4 July
Liberal Democrat Party Conference, Brighton	21–25 September
Labour Party Conference, Bournemouth	28 Sept–2 October
National Association of Local Councils Conference, Cardiff	3–5 October

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Conservative Party Conference, Blackpool	6–9 October
Society of Local Authority Chief Executives Conference, Edinburgh	14–16 October
Association of Council Secretaries and Solicitors Conference, Chichester	22–24 October

Source of allegations received from:

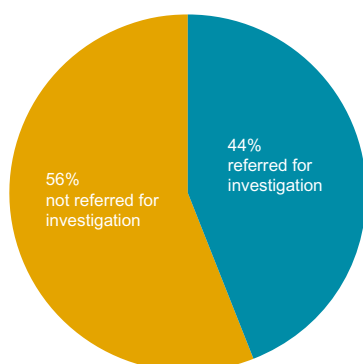


Statistics

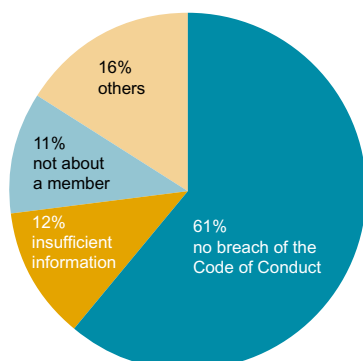
2002 referral statistics

The total number of allegations received by the Standards Board during 2002 was 1902.

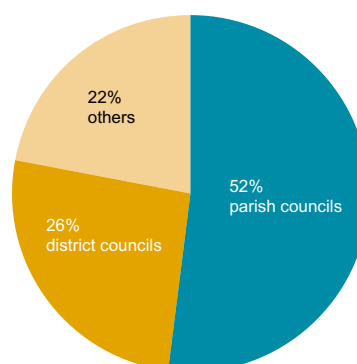
Allegations referred over for investigation:



Allegations not referred concerned:



Types of authorities allegations originated from:



Notes and queries

Readers questions

Please continue to forward any questions you may have for this section of the Bulletin to bulletin@standardsboard.co.uk. Readers questions welcome inquiries of general interest concerning the Code of Conduct. Those of a more specific nature should be addressed to our Policy and Guidance team.

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FAQ

Should substitutes be used on Standards Committees?

The Standards Board does not recommend the use of substitutes for standards committees. Standards committees are not intended to operate along party political lines, as reflected by fact that the political balance requirements of Section 15 of *the Local Government and Housing Act 1989* (duty to allocate seats to political groups) do not apply to standards committees. We recommend that authorities appoint more than one independent member and, where applicable, more than one parish council representative. This will ensure that the committee is able to conduct its business even if one of the independent members or parish council representatives are unable to attend. If this recommendation is followed it should be possible for standards committees to carry out their business effectively without any need for substitutes.