



HILLINGDON  
LONDON



# Standards Committee

**Date:** WEDNESDAY, 2 JUNE 2010

**Time:** 7.00 PM

**Venue:** CIVIC CENTRE, HIGH  
STREET, UXBRIDGE,  
MIDDLESEX UB8 1UW

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

## Councillors on the Committee

Allan Edwards, (Chairman)  
Malcolm Ellis, (Vice-Chairman)  
James Keys, (Independent Member)  
Councillors: Barrett, Corthorne,  
Harmsworth, Hensley, Khursheed, Lewis,  
Markham and Riley

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further information.**

**Published:** Tuesday, 25 May 2010

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=122&Year=2010>

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INVESTOR IN PEOPLE

# Useful information

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# Agenda

- 1 Apologies for Absence
- 2 Minutes  
To approve the minutes of the meetings of the Committee held on 1 March and 13 May 2010
- 3 Declarations of Interest  
To note any declarations of interest in any matter before the Committee
- 4 Confirmation that all items marked Part I will be considered in public and those marked Part II, in private

## **PART I**

- 5 Standards Committee Terms of Reference and Procedures for Complaints  
To note the Terms of Reference for the Committee and its Sub-Committees and to receive a briefing on the procedures for dealing with complaints against Members.
- 6 Review of Work Programme  
To consider and update the Committee's Work Programme
- 7 Standards For England Bulletin  
To note the latest publication from Standards for England (*attached*)

## **PART II**

- 8 Complaints Monitoring

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## Minutes

**Standards Committee**  
**Monday, 1 March 2010**  
**Meeting held at Committee Room 3 - Civic Centre,**  
**High Street, Uxbridge UB8 1UW**



**Published on:**  
**Come into effect on: Immediately (or call-in date)**

**Members Present:** Allan Edwards (Chairman), Malcolm Ellis (Vice-Chairman), James Keys (Independent member), Councillors Corthorne, Curling, Dann, Harmsworth, Hensley and Yarrow

**Officers Present:** Raj Alagh and Lloyd White

### 8. APOLOGIES FOR ABSENCE

An apology was received from Councillor Khursheed

### 9. MINUTES

**RESOLVED:** That the minutes of the meeting held on 1 December 2009 be taken as a correct record.

### 10. DECLARATIONS OF INTEREST

There were no Declarations of Interest

### 11. CONFIRMATION THAT ALL ITEMS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THOSE MARKED PART II, IN PRIVATE

### 12. REVIEW OF WORK PROGRAMME

The Work Programme for 2010 / 11 was reviewed and the dates of future meetings noted. It was agreed to add an item reviewing the training and induction of new Members to the meeting on 2 June. A report on the revised Code of Conduct for Members would be brought forward when and if this was issued by Parliament.

**RESOLVED:** That the work programme, as amended above, be approved.

### 13. STANDARDS FOR ENGLAND BULLETIN

The latest edition of 'The Bulletin' was noted and Members discussed in detail the advice it contained concerning 'Predisposition' and 'Predetermination'. It was felt that this would always remain a slightly grey area and one that would be hard to prove in an official complaint. If in doubt, Members were urged to contact the Monitoring Officer to discuss any issues of this sort. It was also noted that there was no system in place at the Council of an initial filtering of complaints by the Monitoring Officer

before being submitted to the Assessment Sub-Committee as this was not permitted by the legislation as it currently stood.

#### **14. RECENT STANDARDS NETWORKING EVENTS**

The Vice-Chairman provided Members with a detailed summary of the recent networking events held in Brent and at the GLA. These continued to be useful events for sharing experiences and gaining knowledge. It was pleasing to note that the processes and practices in use at Hillingdon were seen as being exemplary.

#### **15. MEMBER TRAINING POST MAY 2010**

Members noted the arrangements recently approved by the Whips' Committee for new Member induction post election and also for general Member training and seminar provision which would now be provided in two, half day sessions with a number of seminars and training events being held concurrently. Members were assured that essential training, on a range of subjects from across the Council would remain the priority.

**RESOLVED: That the report be noted.**

#### **16. STANDARDS AND ETHICS INDICATORS**

Members considered the contents of the annual report providing summary information on a range of topics by which to gauge the corporate health of the authority in relation to standards and ethics. In welcoming and noting the report Members were concerned that the quality and content of some of the returns was not always consistent and that officers should be reminded of what was expected and required when completing returns such as for declarations of interest at meetings and for declaring interests in contracts.

**RESOLVED: That the report be noted and the Head of Democratic Services ensure that the quality and content of the returns was complete and consistent in future.**

#### **17. DECLARATIONS OF GIFTS AND HOSPITALITY**

Members noted the content of the annual report to the Corporate Management Team concerning the declarations of Gifts and Hospitality to officers. In welcoming the report Members were concerned that the returns made were not always complete in describing what action had been taken in relation to the gift or hospitality. In particular three returns from the Education and Childrens' Services Directorate were queried:

- A gift of a DVD player – no indication of what was done with the gift
- A visit to India – no indication of reason for the trip
- A gift of alcohol – not authorised – and no indication of what happened to it.

**RESOLVED: That the report be noted and the Head of Democratic Services be requested to investigate the three declarations detailed above and provide the Members of the Committee with further details.**

## **18. COMPLAINTS MONITORING**

This item was discussed in Part II without the press or public present as it contained confidential information as defined in the Local Government (Access to Information) Act 1985.

The Committee noted details of all the complaints made against Members to date. In relation to the latest complaint it was noted that this had been dismissed and it was agreed that the wording used should be clearer to show the difference between this sort of case and one where the accusation had been upheld but no action taken. In addition officers apologised to Councillor Dann for not informing her of the reasons why she had not been asked to sit on the Assessment Sub-Committee for this case.

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## Minutes

Standards Committee  
Thursday, 13 May 2010  
Meeting held at Council Chamber - Civic Centre,  
High Street, Uxbridge UB8 1UW



Published on:  
Come into effect on: Immediately (or call-in date)

**Members Present:** All Councillors

**1. ELECTION OF CHAIRMAN**

**RESOLVED:** That Mr Allan Edwards be elected Chairman of the Committee for the ensuing municipal year.

**2. ELECTION OF VICE CHAIRMAN**

**RESOLVED:** That Mr Malcolm Ellis be elected Vice-Chairman of the Committee for the ensuing municipal year.

**3. APPOINTMENT OF SUB-COMMITTEE MEMBERS**

**RESOLVED:** That for the ensuing municipal year:

- a) Councillors Barrett, Hensley and MacDonald be appointed to the Standards Committee Assessment Sub-Committee and that Mr Malcolm Ellis be elected Chairman;
- b) Councillors Garg, Markham and Riley be appointed to the Standards Committee Review Sub-Committee and that Mr James Keys be elected Chairman;
- c) Councillors Corthorne, Lewis and Khursheed be appointed to the Standards Committee Hearing Sub-Committee and that Mr Allan Edwards be elected Chairman.

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## **THE STANDARDS COMMITTEE – TERMS OF REFERENCE AND PROCEDURES FOR COMPLAINTS**

REPORTING OFFICERS: THE BOROUGH SOLICITOR AND HEAD OF DEMOCRATIC SERVICES

Members are asked to note the extract from Council Constitution:

### **9.01 Standards Committee**

The Council has established a Standards Committee. Its functions are not within the remit of the Cabinet.

### **9.02 Membership**

8 Council Members not including the Leader plus three independent voting members. The Committee will be politically balanced.

### **9.03 Terms of Reference**

- (a) To promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives;
- (b) To assist Councillors, Co-opted Members and Church and Parent Governor representatives to observe the Members' Code of Conduct;
- (c) To advise the Council on the adoption or revision of the Members' Code of Conduct;
- (d) To monitor the operation of the Members' Code of Conduct;
- (e) To advise, train or arrange to train, Councillors, Co-opted Members and Church and Parent Governor representatives on matters relating to the Members' Code of Conduct;
- (f) To grant dispensations to Councillors, Co-opted Members, Church and Parent Governor representatives on matters relating to the Members' Code of Conduct;
- (g) To deal with any reports from a Case Tribunal or Interim Case Tribunal, and any report from the Monitoring Officer on any matter which is referred to him by an Ethical Standards Officer.
- (h) In accordance with procedures as set out in the Standards Committee (England) Regulations 2008 to consider allegations into the alleged misconduct of Members.
- (i) To oversee the operation of the Officers' Code of Conduct
- (j) To consider periodic reports on a range of standards and ethics indicators

### **9.04 Complaints**

In the event that the Standards Committee is required to adjudicate on any issue coming before it, (including in particular, complaints of misconduct against Members of the Council), any such adjudication will be undertaken in accordance with procedures as set out in the Standards Committee (England) Regulations 2008 and which are reflected in the Standards Committee

Procedure Rules which can be found in Part 4, Schedule J of the Constitution. To assist with this process the Committee has established three sub-committees.

## **9.05 Standards Committee Sub-Committees Terms of Reference**

### **ASSESSMENT SUB-COMMITTEE**

#### **[a] Membership**

Four members including an independent member who will chair the sub-committee. It does not need to be politically balanced.

#### **[b] Terms of Reference**

1. To assess a complaint against clearly defined criteria which has been referred to it by the Monitoring Officer and to notify its decision to the complainant and the Member / co-opted member who is the subject of the complaint.
2. To decide whether to refer the complaint to the Monitoring Officer, to the Standards Board for England or to determine that no action should be taken in respect of the complaint.
3. To review and amend the assessment criteria as necessary.
4. To assess a complaint which has been referred back from the Standards Board for England and to notify its decision to the complainant and the Member / co-opted member who is the subject of the complaint.
5. To consider requests against clearly defined criteria for the withdrawal of a complaint.
6. To consider requests against clearly defined criteria from the complainant that their identity is withheld.
7. To refer the complaint to the Monitoring Officer of another relevant authority in England.

### **REVIEW SUB-COMMITTEE**

#### **[a] Membership**

Four members including an independent member who will chair the sub-committee. It does not need to be politically balanced. Members of the Assessment Sub Committee may not sit on the Review Sub Committee when considering the same case.

#### **[b] Terms of Reference**

1. If requested by the complainant, to undertake a review of a decision of the assessment sub-committee not to take any action in relation to a misconduct complaint against a Member / co-opted member and to notify the complainant and the Member / co-opted member of its decision.

2. To decide whether to refer the complaint to the Monitoring Officer, to the Standards Board for England or to determine that no action should be taken in respect of the complaint.
3. To refer the complaint back to the assessment committee in circumstances where it considers it to be a new complaint.
4. To refer the complaint to the Monitoring Officer of another relevant authority in England.

## **HEARINGS SUB-COMMITTEE**

### **[a] Membership**

Four members including an independent member who will chair the sub-committee. It does not need to be politically balanced.

### **[b] Terms of reference**

1. To receive and consider a final investigation report into alleged Member / co-opted member misconduct and make an appropriate finding in accordance with Regulation 17 of the Standards Committee (England) Regulations 2008.
2. To conduct a hearing in relation to alleged Member / co-opted member misconduct and make a finding and if appropriate, to impose a sanction against the Member / co-opted member in accordance with Regulation 19 of the 2008 Regulations.
3. To give notification of its findings in accordance with Regulation 20 of the 2008 Regulations.
4. To refer the matter to the Adjudication Panel for determination.

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## WORK PROGRAMME 2009/2010

**Officer Contact**

Lloyd White, Deputy Chief Executive's Office

**Papers with report**

None

### REASON FOR REPORT

To enable the Committee to track the progress of its work in accordance with good project management practice.

**RECOMMENDATION: That Members note the Work Programme and make any amendments as appropriate.**

**BACKGROUND DOCUMENTS:** None.

### STANDARDS COMMITTEE WORK PROGRAMME

*NB – all meetings start at 7pm in the Civic Centre unless otherwise indicated.*

*Shading indicates completed meetings*

Meeting Date	Agenda Item
<b>3 June 2009</b>	<ul style="list-style-type: none"> <li>• Terms of Reference: to monitor and update the Ctte's ToFR.</li> <li>• Setting High Ethical Standards – to monitor the Audit Commission Action Plan</li> <li>• Standards for England Bulletin Monitoring</li> <li>• Complaint Monitoring (Part II)</li> </ul>
<b>10 September 2009</b>	<ul style="list-style-type: none"> <li>• Standards Committee Regulations – to note the recently introduced regulations.</li> <li>• Standards for England Bulletin Monitoring</li> <li>• Complaint Monitoring (Part II)</li> </ul>
<b>1 December 2009</b>	<ul style="list-style-type: none"> <li>• Agree work programme</li> <li>• Audit of Members' Complaints – to note the outcome of the internal audit</li> <li>• Assessment made clear – view DVD from Standards for England</li> <li>• Standards for England Bulletin Monitoring</li> <li>• Complaint Monitoring (Part II)</li> </ul>

Meeting Date	Agenda Item
<b>2 March 2010</b>	<ul style="list-style-type: none"> <li>• Review work programme</li> <li>• Standards for England Bulletin Monitoring</li> <li>• New Members' Induction – to consider training for new Members.</li> <li>• Report on Revised Code of Conduct for Officers</li> <li>• Standards and Ethics Indicators</li> <li>• Declarations of Gifts and hospitality.</li> <li>• Complaint Monitoring (Part II)</li> </ul>
<b>2 June 2010</b>	<ul style="list-style-type: none"> <li>• Review work programme</li> <li>• Standards for England Bulletin Monitoring</li> <li>• Report on Revised Code of Conduct for Officers</li> <li>• Complaint Monitoring (Part II)</li> </ul>
<b>9 September 2010</b>	<ul style="list-style-type: none"> <li>• Review work programme</li> <li>• Standards for England Bulletin Monitoring</li> <li>• Complaint Monitoring (Part II)</li> </ul>
<b>30 November 2010</b>	<ul style="list-style-type: none"> <li>• Review work programme</li> <li>• Standards for England Bulletin Monitoring</li> <li>• Complaint Monitoring (Part II)</li> </ul>





## **2010 Annual Assembly of Standards Committees ‘A place for standards’**

Following the success of last year’s fully booked Annual Assembly, we are well on the way to finalising the programme for this year’s event, which takes place on 18 and 19 October at the ICC in Birmingham.

We are already working with a panel of standards committee members and monitoring officers to develop a range of sessions focused on sharing notable practice, developing high standards and building confidence in managing the local standards framework.

The cost of attending both days of the Assembly has been held at £430 (plus VAT) for the fourth year running, while a one-day place is £230 (plus VAT).

Online booking is now open on our website. We will also be sending out hard copy booking forms to all authorities from mid-March. Further information about the programme and speakers will be added to the website so keep checking back for the most up-to-date information.

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## **Stakeholder Tracker 2009 – ‘A qualitative assessment of advice and guidance’**

Every two years Standards for England (SfE) conducts a ‘stakeholder tracker’ in two parts: a quantitative survey, and a qualitative investigation. This research assesses the levels of satisfaction of members and officers in local government with the performance of SfE and their attitudes to the ethical environment. As some of you may recall, the survey was completed last summer. We are now happy to report that the qualitative section of the research, which provides a more in-depth analysis of some of the issues that emerged from the quantitative research, has been completed and is available on our website. **We would like to thank those of you who participated in the research. It is only through your continued support that we are able to track our progress, and identify areas for improvement.**

BMG research carried out this research by holding a number of focus groups with monitoring officers, standards committee members and parish councillors.

## Some of the findings:

- The research found that monitoring officers and standards committee members are very positive about the local standards framework. They feel it has 'bedded in' well, and welcome the chance to take ownership of the process of investigating complaints.
- SfE's monitoring officer helpline received positive feedback, and some stakeholders suggested that the service callers receive has improved over the past 12 months.
- Monitoring officers welcome the development of peer and local/regional networks – however, there is some suggestion that a number of authorities may already have some form of networking in place. They would like SfE to provide content for delivery at networking events.
- The research identified several topics on which stakeholders think SfE could provide further guidance such as more information on other standards committee practices, sanctions and proportionality, mediation, guidance specifically for parish councillors, and more advice on the overlap with Freedom of Information and Data Protection legislation.

A copy of the full report can be [downloaded here](#).

**For further information, please contact:**

**Tom Bandenburg (Research Assistant) on 0161 817 5427 or email [tom.bandenburg@standardsforengland.gov.uk](mailto:tom.bandenburg@standardsforengland.gov.uk)**

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## **A REMINDER: Please send us your hearing decision notices**

As you may already be aware, authorities are required to send Standards for England (SfE) copies of their hearing decision notices. The legal basis for this can be found in the Standards Committee (England) Regulations 2008 under regulation 20(1)(a). However, not all authorities have complied with this requirement.

Hearing decision notices provide a valuable source of information from which SfE can draw conclusions about how the local standards framework is functioning. We have decided to give greater emphasis to our analysis of the notices and we will share our conclusions with you.

### **What you need to do**

Please send us a copy of the full decision notice for any determinations made by your Standards Committee. At the end of each quarter (from 1 April 2010) we will check whether we have received a decision notice for all the hearings completed that quarter and then contact authorities for any that are missing.

We prefer to receive decision notices as an email attachment in Word or PDF format if possible.

You can send them to [authorityreturns@standardsforengland.gov.uk](mailto:authorityreturns@standardsforengland.gov.uk).

If you are unable to send them electronically, please post your decision notices to:

**The Monitoring Team, Standards for England, 4th floor, Griffin House**

**40 Lever Street, Manchester M1 1BB**

When writing the decision notices, please ensure that you include all the legal requirements set out in paragraph 20 of the Standards Committee (England) Regulations 2008. We also recommend that you refer to our guidance, which you can find in your local standards framework guide or online at

<http://www.standardsforengland.gov.uk/determinations>

**Note:** Please do not send us decision notices for any other type of decision such as initial assessments, reviews or consideration meetings. This is not a legal requirement and we will not be using them in our analysis.

#### **What we will do**

We will use the notices to help widen our knowledge of how the local standards framework is operating and provide some context to the quarterly returns data. The notices may also highlight areas where we can produce new guidance or improve on what we have already published.

Thank you for your co-operation. We will keep you informed of how the decision notices help us to support the local standards framework.

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## **Adjudication Panel for England becomes known as First-tier Tribunal (Local Government Standards in England)**

On the 18th January the functions of the Adjudication Panel for England were transferred to the First-tier Tribunal (Local Government Standards in England) and the Adjudication Panel for England was abolished. The First-tier Tribunal sits in the General Regulatory Chamber with Charity, Gambling, Information, Estate Agents, Claims Management, Consumer Credit and Transport Tribunals.

The role of the First-tier Tribunal is to hear cases referred to it by an Ethical Standards Officer or a Standards Committee following an investigation. The Tribunal will also hear appeals by a subject member against the decision of a Standards Committee.

There have been changes to the powers and procedures of the Tribunal.

### **Powers and Procedures**

The First-tier Tribunal now has additional powers and procedures. It has the power to summon witnesses or require witnesses to produce documents relating to its hearings.

All Tribunal hearings can now be conducted either orally or by written representations with the consent of all parties.

Hearings can be conducted by less than 3 Tribunal members.

The President of the Adjudication Panel for England has been appointed as a Principle Judge of the First-tier Tribunal, legal members are now Judges and lay members are members.

### **Appeals**

Previously any appeal from the Adjudication Panel was heard at the High Court. This process has now changed. Appeals will now be heard by the Upper Tribunal. The Upper Tribunal is an appellate tribunal created by the Tribunals, Courts and Enforcement Act 2007. The Administrative Appeals Chamber is the part of the Upper Tribunal which hears and decides appeals from decisions of the General Regulatory Chamber of the First-tier Tribunal.

### **Who can appeal to the Upper Tribunal?**

Any party may appeal to the Administrative Appeals Chamber of the Upper Tribunal if they can show that the First-tier Tribunal made an error of law.

Additionally, the subject member has the right to appeal findings of fact, if their appeal is against

- (a) a decision that they failed to comply with a code of conduct,
- (b) a decision imposing suspension or another sanction

### **Appeals by other parties**

A further change to the appeals process is that if a subject member is successful at the First-tier Tribunal, it is still possible for an Ethical Standards Officer or Standards Committee to appeal on a point of law to the Upper Tribunal. The First-tier Tribunal will notify the subject member if any of these parties wish to appeal.

## Costs

The First-tier Tribunal now has the power to make an order for costs if the Tribunal considers that a party has acted unreasonably in bringing, defending or conducting the proceedings. It may make an order for costs following an application or on its own initiative.

This will mean that the Tribunal can award costs against a standards committee, Ethical Standards Officer or subject member if they have acted unreasonably in the conduct of their investigations or hearings. The First-tier Tribunal may also make an award for wasted costs incurred by any legal or other representative where the Tribunal considers that they have acted negligently, improperly or unreasonably in bringing, defending or conducting proceedings.

For more information and detailed guidance please see [www.adjudicationpanel.tribunals.gov.uk](http://www.adjudicationpanel.tribunals.gov.uk)

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## Our Risk Based Approach

One of the best practice requirements of a regulator is that they take a risk -based approach to their work: that is they are able to assess risks in their area of regulation and apply their own resources accordingly to keep risks low.

For Standards for England there are three types of risk which concern us.

- Systemic risk – risk which could lead to a widespread failing in the work of the framework or in standards across all authorities
- Sectoral risk – risk which could lead to a failing in standards in a number of similar authorities
- Entity risk – risk of a serious standards failure affecting one of the authorities covered by the local standards framework

Assessing entity, systemic or sectoral risks to standards or the success of the framework allows us to target our effort at those activities, situations or authorities that pose the biggest risk helping ensure we provide value for money.

The Success of the local standards framework relies in part on our ability to see potential pitfalls or risks to standards in advance. For example, the emergence of new technologies such as internet social networking, blogs and Twitter, have presented their own unique challenges to standards. During 2009-10 we were able to produce guidance, place articles in the local government press and give a presentation at a national members' conference on this subject.

Spotting such challenges allows us to provide early advice and guidance to the standards community to help prevent problems arising. We will be developing our approach to systemic and sectoral risk, closely linked to our research programme, to help us identify trends or potential problems, and so offer appropriate advice at the earliest opportunity.

We work closely with authorities where challenging standards issues emerge. Based on our increasing experience supporting these authorities we are developing our plans for managing entity risk.

We intend to prioritise the way we interact with authorities on the basis of our risk assessment of the likelihood and impact of any failure of standards in that authority. Working through our relationship managers we will take a differential approach based on this assessment to satisfy ourselves that authorities are working to minimise risks. We envisage working with 30-40 authorities at our highest level of contact and a further 100-120 at an intermediate level, at any one time.

Typically authorities at the lowest level of risk will be in contact with us only as they go about their routine business in operating the standards framework and sending back the required monitoring data, whereas authorities at the intermediate level might be contacted by relationship managers on a six monthly basis, and those at the highest level contacted or visited more frequently as deemed appropriate.

We will be testing our planned approach and consulting with the regulated community about it over the next six months.

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## **Social networking: an effective medium of communication but not without risk**

When it comes to reaching certain groups quickly, cheaply and maintaining control over your message, many councillors find online methods hard to beat.

At the recent Cllr' 10 event, Standards for England and the IDeA ran an interactive session which looked at how councillors can use social networking effectively and ethically to engage with their local communities.

This article highlights some of the key messages from the session for councillors.

- If you use blogs, Facebook or Twitter to help you to carry out your political work, rather than in your private capacity, your obligation to meet certain standards of conduct still applies. You can still be involved in robust political debate and state your opinions strongly – the Code does not exist to gag you or fellow councillors or stop you expressing political views. It does, however, prohibit treating others with disrespect, bullying and bringing one's office or authority into disrepute. It is important if you are blogging or tweeting personally and not in your role as councillor, that you do not act, claim to act, or give the impression that you are acting as a representative of your Authority. It is worth noting that web links to official council websites may give or reinforce the impression that you are representing the council.

- You may use a blog to draw attention to a particular local issue and call the council to account, as you would in a public meeting. However, blog entries ridiculing or attacking particular officers, or making serious accusations about their personal competence or integrity, could amount to disrespect, even bullying, in some circumstances.
- It is worth considering that while the immediacy of social media can be a great benefit, it also has a downside. For example, it is possible for you to Tweet on a matter seconds after leaving the council chamber – long before your opponents have issued press statements. This can result in broadcasting spontaneous remarks that may quickly seem unwise. By the time you have reconsidered and deleted them, they may have been seen by thousands, Facebook-shared, re-Tweeted, linked to, and committed to local headlines. That is fine, if you have got this message across just how you wanted to; less so if your post was an outburst in the heat of the moment. Such remarks are easily withdrawn, apologised for and forgotten when made in person, but posting them on the internet means that they have been published, and in a way that cannot be contained.
- It is important to note that good ethical standards are not limited to the Code of Conduct. While you may not be investigated for using online media, your conduct can still attract adverse publicity, even where the Code does not apply. For example, a regional newspaper recently called a councillor's blog post against a rival party a "toilet-mouthed tirade" saying:

"A [Code] breach it may not have been; childish, crude and demeaning to all who vote or follow politics it certainly was."

It is clear that social networking sites can enhance political debate and add positively to local politics when used correctly. [Click here](#) to see our online guide to blogging.

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## New Online Guides on Our Website

The Guidance and Information team has produced several new online guides at the end of 2009. They are now available on our website. Here are the titles and links to the guides:

- [Charitable Trustees and declarations of interest under the Code](#)
- [Freemasons and the Code](#)
- [Independent members](#)
- [Notifications to parish and town councils concerning complaints about their members and the Standards](#)
- [Role and appointment of parish and town council reps to the standards committee](#)
- [Blogging quick guide](#)

We hope you find these new pieces of guidance helpful. Please e-mail any feedback you have on our guidance to [enquiries@standardsforengland.gov.uk](mailto:enquiries@standardsforengland.gov.uk)

## Standards Committees can take a lead from ‘notable practice’

Research into ‘notable practice’, was carried out jointly by Hull University and the University of Teesside and was finalised in October 2009. It is called ‘notable practice’ to highlight the fact that the tips for success are examples of where particular approaches have worked in certain authorities, rather than ‘set-in-stone’ rules about what should be done.

Bristol City Council standards committee was identified as being particularly effective at facilitating organisational learning, sharing learning with the local government community and acting as hub for other authorities and independent members in the South West. The focus of the case study in South Cambridgeshire was on the standards committee’s proactive approach to the recruitment and retention of independent members.

The research identified nine examples of notable practice in different authorities. Below is the list of the notable practice examples and the case study authorities.

<b>Notable practice</b>	<b>Case study authority</b>
Organisational learning	Bristol City Council
Working with town and parish councils	Taunton Deane Borough Council
Member development	Surrey Police Authority
Working with partnerships	Newark and Sherwood District Council
Recruitment and retention	South Cambridgeshire District Council
Training and development	Herefordshire County Council
Joint standards and audit committees	Runnymede Borough Council
High pressure investigations	Greater London Author
Embedding standards	Newcastle City Coun

Standards committees can now access these case studies, examine details of the notable practice, and benefit from key learning points. The research, 'Assessing the Impact of Standards Committees 2009', can be found at

[www.standardsforengland.gov.uk/Resources/Research/2009reports/](http://www.standardsforengland.gov.uk/Resources/Research/2009reports/)



## Further information

For further information on this paper or any other work undertaken by the Research Team, please contact **Hannah Pearson (Research and Projects Adviser)**, email: [hannah.pearson@standardsforengland.gov.uk](mailto:hannah.pearson@standardsforengland.gov.uk) , ext: 5417

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## Impartial and Objective Investigators

Standards committees must ensure that they appoint investigators who have the necessary impartiality to conduct investigations with no perception of bias. This principle of impartiality should be applied to external and internal investigators alike. It is important that any external investigators are and appear to be impartial; a characteristic which should form part of any selection criteria applied when choosing one.

One of the key benefits of reciprocal arrangements with other authorities is that they enable authorities to pass investigations involving their own employees to another council. It is the monitoring officer's responsibility to ensure they select an impartial investigator.

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## Have your say

Has your authority or standards committee developed an innovative way of promoting ethical behaviour or delivering the standards framework? Why not share your ideas with over 1,000 other council officers and standards committee members on the Standards Forum?

You can use the Forum to discuss anything you find topical in this Bulletin with fellow council officers or standards committee members. It provides a place to network, ask questions, share good practice and make recommendations.

There are currently over 100 posts on more than 40 different topics. Popular topics include:

- Dealing with vexatious complaints
- Developing protocols for informing members
- Promoting ethical behaviour

To have your say, visit:

[www.standardsforengland.gov.uk/resources/TheStandardsForum/](http://www.standardsforengland.gov.uk/resources/TheStandardsForum/)

If you are a member of a standards committee, a monitoring officer or a relevant officer and you are not currently registered for the forum or have any questions please email: [forum@standardsforengland.gov.uk](mailto:forum@standardsforengland.gov.uk)

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## **Delay on the New Code of Conduct**

As you may be aware a new Code of Conduct for Members will not be laid during this Parliamentary session. Communities and Local Government have notified us that the Government is concentrating on financial instruments and so there will not be Parliamentary time available for the Code.

In practice this means that a new Code will not now be laid until after a general election.

By virtue of paragraph(s) 1, 2, 7c of Part 1 of Schedule 12A  
of the Local Government (Access to Information) Act 1985 as amended.

## Agenda Item 8

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