

# Meeting of the Council of the London Borough of Barnet

TO BE HELD ON  
TUESDAY, 13 July 2010 AT 7.00PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, HENDON, NW4 4BG

A G E N D A



**CORPORATE GOVERNANCE DIRECTORATE**

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Agenda and Timetable  
Tuesday 13 July 2010

Item	Subject	Timing/Details	Page Nos.
<b>Part 1</b>	<b>Statutory formalities / Announcements (15 minutes)</b>	<b>7.00pm – 7.15pm</b>	
1.1	Prayer – the Mayor’s Chaplain	Rabbi Ginsbury	
1.2	Apologies for absence	To receive Members’ apologies for absence	
1.3	Minutes of last meeting held on 17 May 2010	To sign as a true record	To follow
1.4	Declarations of interest	To receive Members’ declarations of interest	
1.5	Official Announcements		
1.6	Any business remaining from last meeting		
<b>Part 2</b>	<b>Question Time (30 minutes or until 7.45pm, whichever is the longer)</b>	<b>7.15pm – 7.45pm</b>	
2.1	Questions to the Leader and Cabinet	To be circulated separately	
<b>Part 3</b>	<b>Members’ Motions (60 minutes)</b> Motions in the order in which notice has been given	<b>7.45pm – 8.45pm</b>	
3.1	Councillor Jack Cohen – Town Centres		1
3.2	Councillor Geof Cooke – Road Safety in Barnet		2
3.3	Councillor Daniel Thomas – Housing Benefit Changes		3
3.4	Councillor Lynne Hillan – The Emergency Budget		4
3.5	Councillor Agnes Slocombe – Dr Rudi Vis		5
	<b>Break</b>	<b>8.45pm – 9.00pm</b>	
<b>Part 4</b>	<b>Policy Development (60 minutes)</b>	<b>9.00pm – 10.00pm</b>	
4.1	<b>Administration Policy Item (30 minutes)</b> Academies and Free Schools – Councillor Andrew Harper		6

<b>Item</b>	<b>Subject</b>	<b>Timing/Details</b>	<b>Page Nos.</b>
4.2	<b>Opposition Policy Item (30 minutes)</b> Child Poverty in Barnet – Councillor Anne Hutton		7
<b>Part 5</b>	<b>Statutory Council Business (40 minutes)</b>	<b>10.00pm – 10:40pm</b>	
	Any relevant reports to follow		
5.1	<b>Report from Cabinet</b>		
5.2	<b>Reports from other Committees</b>		
5.2.1	The Standards Committee - Standards Committee Annual Report		8 - 30
	<b>Reports of Officers</b>		
5.3	<b>Report of the Acting Democratic Services Manager</b>		
5.4	<b>Report of the Monitoring Officer</b>		
<b>Part 6</b>	<b>Accountability (20 minutes)</b>	<b>10.40pm – 11.00pm</b>	
6.1	Comments on the work of the Cabinet (10 minutes)		
6.2	Questions to representatives on outside bodies (10 minutes)		

Aysen Giritli, Acting Democratic Services Manager  
Building 4, North London Business Park, Oakleigh Road South, N11 1NP

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- Do not stop to collect personal belongings.**
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.**
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**Council, Tuesday 13 July 2010**

**Motion 3.1:** Councillor Jack Cohen

**Town Centres**

Council supports the objective of making our Town Centres a pleasant, attractive and vibrant shopping experience .Council therefore notes with concern the number of street alcohol drinkers in and around Golders Green Town Centre. Council agrees that If this situation is allowed to continue there is a real risk that visitor numbers to the Town Centre will fall, as well as making the area unpleasant for local residents

Council believes in a two pronged approach to deter and persuade street drinkers to alter their lifestyle. The first is to outlaw 'street' drinking of alcohol in public and the second is for the council to work with the appropriate helping agencies and local liquor stores to deal with causes of alcohol dependency.

Council therefore request the Cabinet to draw up proposals in consultation with the Police, shopkeepers residents and drug and alcohol agencies which will include

- 1) Designating Golders Green Town Centre and adjoining roads as an Alcohol Free Zone
- 2) Outreach work with problem drinkers”

Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.

**Council, Tuesday 13 July 2010**

**Motion 3.2:** Councillor Geof Cooke

**Road Safety in Barnet**

Council welcomes the fact that fatalities from road traffic accidents have reduced in Barnet over the last year, but notes that Barnet has the second highest number of casualties from road traffic accidents in London. In 2009 there were 1,403 casualties in Barnet which is a rise of 15% since 2008 and is in stark contrast to the reduction in casualties in most of the rest of outer-London and London as a whole.

Council also notes that Barnet's Cabinet Member for Environment has recently ruled out introducing any new road safety measures to combat the problem – despite saying his focus would be on “roads, roads and roads”.

Council further notes that Mayor Boris Johnson is proposing to remove 145 traffic light and pedestrian crossings across London including 3 in Barnet, which will aggravate speeding traffic and make crossing the road more dangerous in many locations.

Council asks Cabinet to investigate the recent increase in casualties from road traffic accidents, and come up with a plan to ensure our roads are safer for motorists, cyclists and pedestrians alike.

Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.

**Council, Tuesday 13 July 2010**

**Motion 3.3:** Councillor Daniel Thomas

**Housing Benefit Changes**

Council believes Benefits should be designed to assist the neediest, and encourage people out of poverty.

Therefore, Council regrets the unsustainable levels of Housing Benefit that was paid to some individuals over a long period of time, which acted as a disincentive to work and provided long-term subsidised accommodation at a cost to hard-working taxpayers, in some of London's and Barnet's most expensive locations.

Accordingly, Council welcomes the new limits on Housing Benefit payments due in 2011 from the Conservative-led Government that Council believes, in combination with a number of other initiatives to be announced, will help encourage people off dependency and back into work.

Council calls on Cabinet to liaise with the Government in implementing this and other Benefits policies that will help break the cycle of dependency and poverty in Barnet and across the UK.

Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.

**Council, Tuesday 13 July 2010**

**Motion 3.4:** Councillor Lynne Hillan

**The Emergency Budget**

Council notes the Emergency Budget that was presented on 22 June.

Council regrets the actions of the previous Labour Government that lavished money on bureaucracy, put nothing aside for a rainy day, and left the UK with staggering levels of debt that will affect generations to come.

While Council appreciates the Emergency Budget will be tough, Council believes it represents the only opportunity to restore national finances and put this Country back on a sound economic footing.

Accordingly, Council welcomes the Emergency Budget from the Conservative-led Government, and calls on Cabinet to work within the new Financial Constraints when setting this Council's Budget for next year.

Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.



**Council, Tuesday 13 July 2010**

**Motion 3.5:** Councillor Agnes Slocombe

**Dr Rudi Vis**

Council notes the precedent set by the naming of Sir Sydney Chapman Way in Hadley to mark the retirement of Sir Sydney Chapman as the MP for Chipping Barnet in 2005.

Council further notes the sad death of Rudi Vis shortly after retiring as the MP for Finchley and Golders Green this year. Council would therefore wish to continue this tradition and mark his nearly 25 years service as a councillor and an MP by naming a road after him in the constituency that he held so dear.

Council asks the Chief Executive to identify a suitable road in the constituency of Finchley and Golders Green and arrange an appropriate ceremony to mark the naming.

Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the council meeting.

**Council, Tuesday 13 July 2010**

**Administration Policy Item: Councillor Andrew Harper**

**Academies and Free Schools**

The Government has announced that all schools are being invited to apply for Academy Status and that parents other interested groups will now be able to set up “Free Schools”.

Academies will be autonomous of the local Council and receive their funding direct from the DFE. They will be given greater freedom over their curriculum and financial affairs. LA Maintained Schools rated as Outstanding by OFSTED can apply to be fast-tracked, with a view to becoming an Academy by Autumn this year.

In addition, “Free Schools” which will also enjoy Academy status can be set up by parents groups, teachers, charities, trusts and voluntary groups. The planning framework is being liberalised in order to facilitate the location of schools within a variety of buildings.

Accordingly, Council:

- 1) Welcomes this innovative policy by the Conservative-led Government, which Council believes will further the Borough’s reputation of being the home of First Class Education.
- 2) Urges Cabinet to ensure Barnet is at the forefront of national education policy, works constructively to assist our schools in becoming Academies and engages with all its partners to guarantee that every school is a good school for every child.

**Council, Tuesday 13 July 2010**

**Opposition Policy Item:** Councillor Anne Hutton

**Child Poverty in Barnet**

Council notes that around 25,000 children in Barnet live in or on the brink of poverty, and that in some areas in the borough more than 50% of children live in poverty.

Council also notes that children who grow up in poverty face a greater risk of poor health, of lower educational attainment and of being exposed to crime.

Council further notes that both the previous and the current government have said that they are committed to the goal of ending child poverty by 2020, and that the Child Poverty Act 2010 places the following new duties on local authorities to help achieve that target:

- To co-operate on work to reduce and mitigate the effects of child poverty in their local area
- To prepare and publish a local child poverty needs assessment to understand the drivers of child poverty in their local area, and the characteristics of those living in poverty
- To prepare a joint child poverty strategy, setting out measures that the local authority and their partners propose to take to reduce and mitigate the effects of child poverty in their local area

Council notes that the local child poverty needs assessment will need to be carried out this autumn to allow time for consultation so that the strategy is produced by April 2011, but that so far there is nothing on the Cabinet forward plan about this work.

Council asks Cabinet to confirm their commitment to helping eradicate child poverty in Barnet by 2020, and to work with local partners and scrutiny to ensure the needs assessment and final strategy are produced on time.

**AGENDA ITEM: 5.2.1**

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Meeting	Council Meeting
Date	13 July 2010
<b>Subject</b>	<b>Standards Committee Annual Report</b>
Report of	The Standards Committee
Summary	This report is the Annual Report of the Standards Committee for 2009/10.

Officer Contributors	Jeff Lustig, Director of Corporate Governance (Monitoring Officer), Seye Aina, Senior Governance Advisor
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A - Standards Committee membership 2009/10 Appendix B – Standards Committee Work Programme 2009/10 Appendix C – Complaints considered by the Standards Committee 2009/10 Appendix D – Standards for England Annual Return 2010
For decision by	Council
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	N/A
Contact for further information:	Seye Aina, Senior Governance Advisor 020 8359 7156, seye.aina@barnet.gov.uk

## **1. RECOMMENDATIONS**

- 1.1 Council is requested to note the Standards Committee Annual Report and consider whether it wishes to make any comments for the Standards Committee to consider.

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 17 March 2008 – The Standards Committee considered proposals for an annual report on its work to the Council and gave direction as to its content.
- 2.2 15 July 2008 – The Council approved and adopted the first annual report of the Standards Committee.
- 2.3 14 July 2009 – The Council approved and adopted the second annual report of the Standards Committee.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 Under the Council's Corporate Plan for 2009/10, one of the corporate priorities is 'More Choice, Better Value'. A key objective within this priority is 'enhancing and further developing corporate governance'. The annual report to the Council on the work of the Standards Committee will support this objective.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 An annual report to Council ensures that the work of the Standards Committee is visible and considered at the highest level within the Council, reducing the risk of ethical governance issues not having sufficient profile.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 There are no direct equalities or diversity issues arising from this report. However, the Standards Committee are mindful of such issues, which are highlighted in all reports presented for their consideration. The work of the Standards Committee applies to all Members and Co-opted Members equally.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 There are no direct resource implications arising from this report.

## **7. LEGAL ISSUES**

- 7.1 There are no direct legal issues arising from this report.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Standards Committee is empowered with promoting and maintaining the high standards of conduct by Members and Co-opted Members, assisting Members to observe the Code of Conduct, advising the Council on the code and

monitoring its operation. It also has powers to grant dispensations relating to registrable interests and to grant exemptions from political restriction. It will appoint sub-committees to carry out its roles and functions related to the assessment, review and referral of allegations regarding breach of conduct and those related to determination and application of sanction in such cases. It is empowered to consider and make recommendations to the Council, as necessary, on ethical issues affecting the Council as a whole.

## **9. BACKGROUND INFORMATION**

### **Introduction**

- 9.1 As part of the Council's work towards good governance and transparency an annual report is prepared to monitor the work of the Standards Committee on ethical governance and the conduct of Members.
- 9.2 The work of the Standards Committee during the municipal year 2009/10 primarily focussed on a number of important issues. These included a review of Planning and Licensing Codes of Practice, a review of Local Regulation – one year in, actions arising from the Ethical Governance Assessment 2008, and the provision of declarations of Interest on-line.
- 9.3 The Standards Committee agreed an annual work programme for municipal year 2009/10, the contents of which are set out in *Appendix B*.

### **Committee Membership**

- 9.4 The Standards Committee has a membership of thirteen members in total; comprising six elected Members (two from each political group represented on the Council) and seven Independent Members. The Standard Committee members for municipal year 2009/10 are set out in *Appendix A*.
- 9.5 Attendance at the four scheduled committee meetings from April 2009 to March 2010 has on the whole been very good. Generally, at least five of the seven Independent Members and four of the six elected members were present for each meeting, with apologies generally being submitted with good cause.

### **Terms of Reference**

- 9.6 Article 9 of the Council's Constitution sets out the composition, role and function of the Standards Committee.

### **Codes and Protocols**

- 9.7 Part 5 of the Council's Constitution contains the Codes and Protocols, that are very relevant to the functions of the Standards Committee, as follows:-
- Members' Code of Conduct
  - Members' Planning Code of Good Practice
  - Member' Licensing Code of Good Practice
  - Officer' Code of Conduct
  - Protocols for Member-Officer Relations
  - Barnet Code of Corporate Governance

### **Officer Support**

- 9.8 The Standards Committee meets four times a year and there are a number of Standards Sub-Committee meetings held, depending upon the number of complaints received of breaches of the Members Code of Conduct.
- 9.9 Primary support for the Standards Committee comes from the statutory post of Monitoring Officer. Since the establishment of the Corporate Governance Directorate in December 2006, the function of Monitoring Officer has been part of the role of the Director of Corporate Governance and the Head of Legal is the Deputy Monitoring Officer.
- 9.10 The Monitoring Officer has placed responsibility for the day to day support of the Standards Committee, together with other roles related to furthering ethical governance within the Council, in the role of Senior Governance Advisor.

### **Independent Members**

- 9.11 The following Independent Members served on the Standards Committee in the municipal year 2009/10 and short biographies for each of them are available on the Barnet website:

Rev Bernd Koschland (Chairman)

Stephen Ross (Vice-chairman)

Michael Barber

Rabbi Jeremy Collick

Ron Rosenhead

Deborah Sanders

David Sparrow

- 9.12 An Independent Member is appointed to chair each Sub-Committee meeting. All members of the Standards Committee have participated in at least one Sub-Committee meeting.
- 9.13 The Chairman has this year held separate meetings with the Chief Executive and the party Group Leaders to discuss issues relevant to the work of the Committee. He has also attended regular meetings with the Director of Corporate Governance and other officers in the Corporate Governance Directorate.
- 9.14 The Vice-Chairman has also attended a high profile networking event for Standards Committee Members organised by a neighbouring Council.
- 9.15 A recruitment exercise was undertaken in March 2010. One Independent Member, Mr. Stephen Ross, was, on recommendation, re-appointed for a further four year term of office and another, Ms. Tanya Ossack, was, on recommendation, appointed as a new Independent Member to serve out the remaining two years of the term of a replaced Independent Member.

### **Elected Members**

- 9.16 The following six elected Members served on the Standards Committee in the municipal year 2009/10:

Cllr Jack Cohen (Liberal Democrat)  
Cllr Claire Farrier (Labour)  
Cllr Monroe Palmer (Liberal Democrat)  
Cllr Joan Scannell (Conservative)  
Cllr Agnes Slocombe (Labour)  
Cllr Andreas Tambourides (Conservative)

### **Training Plan**

- 9.17 Training was a high priority for 2009/10 and a training plan was agreed by the Committee in March 2009. In the municipal year 2009/10, the members of the Standards Committee have engaged in a number of seminars, conferences and networking events. This has provided an opportunity to keep up to date on the local standards framework, new legislation and guidance relating to their responsibilities on the Standards Committee, and to keep abreast of best practice in the area of corporate governance. There has been a high attendance at all the events organised for Standards Committee members.
- 9.18 Training topics included:
- Code of Conduct Training
  - Personal or Prejudicial Interests
  - Charing Skills
  - Assessment and Review of Allegations
- 9.19 Most members of the Committee have had the opportunity to take part in both Assessment and Consideration panels, and some in a high profile Hearing. This first-hand experience has been a key part in the continued broadening of the skill base of Standards Committee Members.
- 9.20 During the year, some Members of the Committee attended specific training seminars organised by external providers. As in previous years, a number of Members and officers also attended the Standards for England Annual Assembly held on 12 and 13 October 2009.

### **Codes of Conduct**

- 9.21 Code of Conduct guidance is provided to all Members as part of training sessions. Information was also made available to Committee Members by showing a DVD as part of background information on the Code.
- 9.22 Information on the Code is also a major part of the information contained in the literature provided at seminars and conferences such as the Annual Assembly of Standards for England and a more recent event organised by the Greater London Authority.

### **Register of Interests**

- 9.23 The Members Register of Interests is required to be completed within two months of appointment and thereafter it is the Member's responsibility to inform the Monitoring Officer of any change in his/her interests within 28 days.



- 9.24 For the first time, the Standards Committee received an annual report on Members' declarations of interests. It went on to make recommendations to Council concerning the publication of the Register of Members Interests online. At a meeting on 26 January 2010, Council gave its approval to these recommendations, subject to the right of individual Members to opt out and have their declarations retained as a paper record. The plans to implement the online register have commenced and it is anticipated that this should be in place by the autumn.

### **Ethical Governance Assessment**

- 9.25 The Standards Committee conducted an Ethical Governance Assessment of the Council in 2008. The outcomes of which were worked on in 2009. The Committee has commissioned Officers to carry out a further Ethical Governance Assessment in 2010 to build upon the findings of the previous Assessment and a full report will be available towards the end of the year.
- 9.26 The Audit Commission and the Improvement and Development Agency (IDeA) both advocate the importance of conducting Ethical Governance 'healthchecks' in order to:
- help Councils assess and then drive up their ethical governance arrangements and procedures;
  - help Councils better understand the key ethical governance issues they are now facing; and
  - highlight areas to focus on in the future.
- 9.27 These Ethical Governance Assessments are the only specifically focussed measure the Council has of its levels of ethical governance; that is the operation of the frameworks in place and the views of different types of stakeholder. They provide the opportunity both to map a direction of travel for the Council and to make comparisons nationally.
- 9.28 The Ethical Governance Assessment will be conducted this year and should provide the Committee with a better understanding of the key ethical governance issues facing the Council.

### **Complaints Role**

- 9.29 In addition to Sub-Committees of the Standards Committee considering allegations of breach of the Members Code of Conduct, the Committee also conducted a review of the number and type of conduct related complaints against members of staff. The report submitted to the Standards Committee in December 2009, showed that the proportion of complaints about staff conduct is very small and the Committee agreed that these reports will now be submitted every two years rather than annually.

### **The Standards Committee (England) Regulations 2008**

- 9.30 These Regulations made under the Local Government and Public Involvement in Health Act 2007, known as 'Local Regulation', came into force on 8 May 2008. The Regulations set out the local standards framework for the assessment, referral, investigation and hearing of complaints against Members concerning alleged breaches of the Code of Conduct.

- 9.31 The Standards Committee have an agreed Assessment Criteria and Protocols which follow the Standards for England guidance, as applied within the Barnet context and arrangements. These protocols and criteria have been found to be very useful by the Sub-Committees when conducting assessments and reviews of assessments.
- 9.32 The Standards Committee also has an agreed Determinations Criteria and Protocols which were used for the first time in 2009.
- 9.33 During the municipal year 2009/10, ten allegations of misconduct were considered by Standards Sub-Committees. A breakdown of the complaints and allegations considered by the Sub-Committees are set out in *Appendix C*

#### **Standards for England**

- 9.34 Standards for England (SfE) has now taken on the primary role of being a light touch regulator. The Standards Committee submits quarterly returns and an Annual Return to Standards for England. The annual return submitted for the Council in April 2010 is attached in *Appendix D*.

#### **Information on the Standards Committee**

- 9.35 Members of the public are able to find out about the work of the Standards Committee on the Council's website. The agenda and decisions of the Standards Committee, how to make a complaint and final decisions of the Standards Sub-Committees are all available for public inspection on the Council's website.

### **10. LIST OF BACKGROUND PAPERS**

- 10.1 Agendas and minutes of meetings of the Standards Committee held in the 2009/10 municipal year:-
- 20 May 2009
  - 9 September 2009
  - 17 December 2009
  - 4 March 2010

## **Membership of the Standards Committee (Municipal Year 2009 – 2010)**

### **Independent Members**

**Chairman:** Revd Bernd Koschland - served since May 2000, re-appointed May 2008

**Vice-Chairman:** Mr Stephen Ross - appointed March 2005

Mr Michael Barber - appointed May 2008

Rabbi Jeremy Collick - appointed May 2008

Mr Ron Rosenhead - appointed May 2008

Ms Deborah Sanders - appointed May 2008

Mr David Sparrow - appointed May 2008

### **Elected Members**

Cllr Jack Cohen

Cllr Claire Farrier

Cllr Monroe Palmer

Cllr Joan Scannell

Cllr Agnes Slocombe

Cllr Andreas Tambourides

### **Substitute Members**

Cllr Maureen Braun

Cllr Jeremy Davies

Cllr Anne Hutton

Cllr Susette Palmer

Cllr Jim Tierney

Cllr Marina Yannakoudakis

## STANDARDS COMMITTEE

### Work Programme

<b>Monday, 20 May 2009 (moved from 1 June 2009)</b>	
<b>Report</b>	<b>Description</b>
Sub-committee Membership	To establish membership of the Sub-committees to deal with Local Regulation matters
Annual Report	A draft report providing a review of the 2008/09 year for approval before presentation to Council at its July meeting.
Ethical Governance Assessment – Progress	A report detailing progress on the agreed recommendations from the Ethical Governance Assessment.
Review of Barnet's Planning Code of Practice and Licensing Code of Practice	A review of the two Codes of Practice aligning them and according with the 2007 Code.
Statutory Code of Conduct for Officers	A progress report including the expected Government response to the consultation and relevant details on implementation.

<b>Wednesday, 9 SEPTEMBER 2009</b>	
<b>Report</b>	<b>Description</b>
Local Regulation – one year on	A review of the first year of local regulation including national figures from the SBE (hopefully available for whole year)
Member/Officer Protocols	A review of the Member/Officer Protocols following the intended implementation of the new statutory Code of Conduct for Officers
Conduct Complaints Annual Report	Second annual report on complaints related to conduct matters.
Declarations of Interest	A report providing the committee with assurance about the Members' Register of Interests and that declarations of interest and of Gifts and Hospitality have been declared in the preceding twelve months.

**Thursday, 17 DECEMBER 2009**

<b>Report</b>	<b>Description</b>
Report back from the Standards Board Annual Assembly	Those attending will report back to the Committee as a whole what was covered there.

**Thursday, 4 MARCH 2010**

<b>Report</b>	<b>Description</b>
Planning the Ethical Governance Assessment 2010	A report seeking agreement to proceed with the third biennial Ethical Governance Assessment and proposing how it will be conducted.
Training Plan 2009/10	A report setting out training proposed for the committee.
Work Programme for 2010/11	To seek agreement to the Committee's proposed Work Programme for 2010/11.

**Allegations of Breach of the Members’ Code of Conduct**

A breakdown of the meetings held:-

<b>Standards Committee meetings from 1/4/2009 – 31/3/2010</b>	
<b>Type of Meeting</b>	<b>Number of meetings from 1/4/2009 – 31/3/2010</b>
Standards Committee	4
Assessment sub-committee	9
Review sub-committee	5
Consideration meeting	1
Determination Hearing	1
Mediation / Other	1

A complainant may make a number of allegations against a Member.

A Breakdown of the types of allegations:

<b>Types of Allegations from 1/4/2009 – 31/3/2010</b>	
Disrepute	8
Use of position to confer an advantage/disadvantage	4
Disclosure of confidential information	1
Respect	4
Bullying/Intimidation	2
Personal Interests	1
Impartiality	1

## **Allegations of Breach of the Members' Code of Conduct**

A breakdown of the source of Complaints:

<b>Source of Complaints from 1/4/2009 – 31/3/2010</b>	
Member of the Public	8
Councillor	1
Anonymous	1
Other	0

Breakdown of the outcomes:-

<b>Outcomes from 1/4/2009 – 31/3/2010</b>		
<b>Committee Meetings</b>	<b>Outcome</b>	<b>Numbers</b>
<b>Assessment Sub-Committee</b>	No further action	6
	Local investigation	1
	Other action	1
	Adjourned for further information	1
<b>Review Sub-Committee</b>	No further action	5
<b>Consideration Sub-Committee</b>	Referred for a hearing	1
<b>Determination Hearing</b>	Breach of code, no sanction	1



# Annual Return 2010

## London Borough of Barnet

### PART 1: COMMUNICATION

The main roles of a standards committee are:

- to promote and maintain high standards of conduct by members
- to assist members in observing the Code of Conduct.

Your responses to this section will help us to collect examples of the different ways that standards committees communicate messages about ethical standards, both within the authority and to the wider public.

#### Annual Report

Does the standards committee produce an annual report?

YES   
NO

What does the report contain?

- A personal statement by the standards committee chairman
- Information about the members of the standards committee
- The role of the standards committee
- The standards committee terms of reference
- Information about the Code of Conduct
- Statistical information about complaints that have been received
- Information about the length of time taken dealing with complaints
- A summary of complaints which have led to investigation, sanction or other action



- Details about training/events provided
- The forward work plan of the standards committee
- Other

### How is the standards committee annual report circulated?

Note: If your return is not on the website please forward a copy to us. See the guidance notes for details.

- Sent to all senior officers
- Sent to all members
- Available on the authority intranet
- Available as a specific item on the authority website
- Available in the standards committee papers published on the authority website
- Included as a full authority meeting agenda item
- Publicised in local newspaper / press release
- Distributed to households
- Available at authority offices
- Not circulated outside of the standards committee
- Other

## Publicising Complaints

### How can the public access information about how to make a complaint against a member?

- Through a 'compliments and complaints' type section of the council website

Please provide website address:

- Through the standards committee section of the website
- Complaints leaflets available from the authority
- Included as part of a council newsletter
- Information is not available to the public
- Other

### How can the public access information about the outcome of initial assessment decisions?

- Written summary available for public inspection
- Press release issued for all initial assessment decisions
- Press release issued only if the subject member agrees
- Assessment decisions published on the authority website
- Articles published in the authority newsletter
- Other

A decision notice is only sent to the complainant and subject member.

### How can the public access information about the outcome of investigations?

- Hearings are open to the public
- Press release issued for all investigation outcomes
- Press release issued only if the subject member agrees
- Published on the authority website
- Decision notices are available for public inspection
- Articles in the authority newsletter
- Other

**Do you have a mechanism in place for measuring the satisfaction of all those involved in allegations of misconduct? For example the member, complainant and witnesses.**

YES   
NO

### Communicating the role and work of the standards committee and standards generally

**What does the authority do to promote the work of the standards committee and standards generally to the rest of the authority (i.e. internally)?**

- Dedicated standards committee pages on intranet
- Standards committee has its own newsletter / bulletin
- Standards committee issues briefing notes

- Articles in employee newsletter / bulletin
- Standards committee independent members **observe** other authority meetings
- Standards committee independent members **contribute** to other authority meetings
- Other

### How can the public access information about your standards committee?

- Dedicated standards committee section on the authority website

Please provide website address:

<http://committeepapers.barnet.gov.uk/democracy/meetings/meetinglist1mth.asp?intSubSectionID=20&intSectionID=2&meetingType=other&intComID=114>

- Within 'council and democracy' type section of website

Please provide website address:

<http://committeepapers.barnet.gov.uk/democracy/documents/documentlist.asp>

- Ethical standards issues have been included in the local press / media
- Standards committee minutes, agendas, and reports are available to the public
- Leaflets and/or posters are placed in public buildings
- Places articles in the authority newsletter / bulletin / other publication
- Standards committee meetings are observed by members of the public
- Information is not available to the public
- Other

### What else does the authority do to promote the work of the standards committee and standards generally to the public and other partners?

An Ethical Governance Assessment is conducted every two years and promoting the work of the standards committee is part of the action plan. In 2009 the Council received positive feedback from a citizen's panel who participated in the last Ethical Governance Assessment in 2008.

There will be improved public access to the Member's Register of Interest following the approval by Council for there to be an online Register of Interest.

This year a recruitment exercise was conducted for Independent Members of the Standards Committee. Information published online and in newspapers included the role of an Independent Member and the work of the Standards Committee.

## PART 2: INFLUENCE

**A key factor in creating a strong ethical framework in authorities is clear ethical leadership from leaders and chief executives, setting the tone for the rest of the organisation.**

**Your responses to this section will help us to understand how closely your standards committee works with political and officer leadership in the authority, and the ways in which the leadership encourages strong ethical standards.**

**How does the standards committee communicate ethical issues to the senior figures within your authority (for example the Chief Executive and Leader of the Authority, Party Leaders)?**

- Formal meetings between standards committee members and senior figures specifically set up to discuss standards
- Informal discussion on particular standards issues
- Senior figure attendance at standards committee meetings
- Monitoring Officer is a member of or attends Corporate Management Team (or equivalent) meetings
- Executive or senior member has portfolio responsibility for standards
- Chair (or other standards committee member) addresses full authority meeting(s)
- Other

**How do the senior figures in your authority demonstrate strong ethical values?**

- Through a strongly promoted whistle-blowing policy
- By ensuring there are references to ethics in the authority vision / objectives
- Demonstrating appropriate behaviours
- Senior figure(s) makes personal commitment to standards in statements to public/employees
- Other

**Does your authority have a protocol for partnership working that outlines the standards of behaviour expected of all those working in partnership?**

YES   
NO

**What mechanisms does the authority use for dealing with member/officer and/or member/member disputes?**

- Informal discussion/mediation
- Monitoring Officer mediation
- Chair of standards committee mediation
- Senior figure mediation (e.g. Chief Executive)
- Advice from Human Resources department
- Solicitor / legal adviser consulted
- Informal hearing
- No mechanisms other than normal complaints process
- Other

## PART 3: TRAINING AND SUPPORT

A specific function of a standards committee is to train members on The Code of Conduct, or arrange for such training. A standards committee can also arrange training on the local standards framework. Your responses to this section will help us to form a view about what the most common topics and methods of training are so that we can share them with the rest of the standards community.

Between 1 April 2009 and 31 March 2010, has the authority assessed the training and development needs of authority members in relation to their responsibilities on standards of conduct?

YES   
NO

If yes, what needs were identified?

- Introduction to the Code of Conduct
- Elements of the Code of Conduct
- The role and responsibilities of the standards committee
- Ethical governance/behaviour
- None
- Other

What training/support was provided during the period 1 April 2009 to 31 March 2010?

- Introduction to the Code of Conduct
- Elements of the Code of Conduct
- Role and responsibilities of the standards committee
- Ethical governance/behaviour
- None
- Other

Personal /Prejudicial Interests DVD
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Who received training/support?

- Standards committee chair
- Independent members
- Other standards committee members
- All authority members

- Specific authority members with particular needs (e.g. new members, planning committee members)
- Other

**What methods were employed to give training/support?**

- Internal training (presentations/seminars/workshops)
- External trainer/speaker
- One on one training
- Joint/regional training event
- Online learning
- Guidance notes/briefing materials
- Standards for England materials
- Ethical governance toolkit
- Other

**What other training/support has been provided on areas of an authority member's role or activities they may engage in?**

- Chairing skills
- Lobbying
- Predetermination, Predisposition and bias
- Blogging and/or the use of social media
- Electioneering
- Freedom of Information (FOI)
- None
- Other

**In general, how well attending was the training provided?**

- 75% or more of those invited
- 50-75%
- 25-50%
- 0-25%

**Please give a brief overview of how standards issues are covered in your induction process for new members of the authority?**

The induction programme for all new members includes training on the code of conduct for all members. In addition for members of the Standards Committee, there is also guidance on conducting investigations.

This year it is proposed that the members of the Standards Committee will take an active role in introducing new members to the work of the Standards Committee.

**In which areas of the role and responsibilities of the standards committee has training/support been provided for standards committee members? Please tick all that apply.**

- Initial assessments
- Other action/mediation
- Reviews
- Investigations
- Hearings
- Sanctions
- Other



## PART 4: INVESTIGATIONS

**How many investigations have been conducted during the period 1 April 2009 – 31 March 2010?**

2

**Of the investigations that have been completed during the period, for how many have external investigators been used?**

**NOTE: This includes employees of other authorities**

1

**Overall, what was your principle reason for out-sourcing the investigation(s)? (Select one option only)**

- Impartiality
- Lack of staff resources
- To complete the investigation sooner
- Skills required
- Cost
- Other

**What type of external investigator(s) did you use?**

- Employee of another authority
- Self-employed investigator
- Private law firm
- Other

**For the period 1 April 2009 – 31 March 2010, what was the approximate total cost of fees paid to external investigators?**

£7291.00

**Please provide a brief overview of the processes you have in place to ensure the quality of local investigations.**

Flow charts and guidance notes assist members involved in the local investigation process.

Members provide feedback to other Committee members, sharing any lessons learnt and reflecting on their experience following the completion of an investigation.

The Chair of the Standards Committee meets with senior officers and the monitoring officer to discuss matters arising on the agenda of the next Standards Committee meeting and matters concerning a local investigation.

Reference to the Standards for England website and forum.