

**TITLE OF REPORT: UPDATE ON PROGRESS AND WORK PROGRAMME**

## REPORT OF THE ACTING MONITORING OFFICER

**1. SUMMARY**

- 1.1 To update the Members on the Work Programme agreed by the Standards Committee at the meeting on 10 November 2009 and other outstanding matters.

**2. FORWARD PLAN**

- 2.1 This report does not contain matters referred to in the Forward Plan

**3. BACKGROUND**

- 3.1 Following the ongoing approval of the Work Programme by the Standards Committee at its last meeting, the Acting Monitoring Officer considers it appropriate to ensure that the Committee continues to be updated on progress, changes in priority and matters outstanding.

**4. ISSUES****4.1 *Work Programme***

- 4.1.1 Members will recall from the Committee meeting on 10 June 2009 a Report from the Acting Monitoring Officer attaching the ongoing work programme. The intention of this continues to be that it operates similar to the Forward Plan, to ensure that members are adequately able to monitor and review the work of the Monitoring Officer.
- 4.1.2 Members were advised that they would be requested to review and add to the work programme at each meeting of the Committee. This is attached duly amended and updated as Appendix 1. The Work Programme has been re-formatted in line with the request at the previous meeting and continues to explain the progress made for the individual items of work.

- 4.1.3 The Standards Committee is requested to consider and approve this.

**4.2 *The role of Standards for England***

- 4.2.1 The referral of member complaints to local Standards Committees was introduced on 8 May 2008. The Standards Board is now known as Standards for England.
- 4.2.2 As Members are aware they are the regulator for the local referrals process and it requires each Council to submit quarterly and annual returns. To date all quarterly and annual returns continue to have been submitted on time.

- 4.2.3 A copy of the Council's quarterly return for October - December 2009 is attached as Appendix 2. This contains confidential information and is issued as a Part 2 document. Members will be aware that at the previous meeting the Acting Monitoring Officer confirmed that some housekeeping needed to be undertaken in this area. This has now been done.
- 4.2.4 The Acting Monitoring Officer attended a Monitoring Officer Conference on Thursday 11 February 2010. This included Presentations from the Chief Executive and the Director of Risk of Standards for England. A verbal update will be given in relation to these presentations.
- 4.2.5 Members will recall that a consultation response to proposed changes to the Code of Conduct was approved by the Committee on 15 December 2008 and submitted to DCLG. The consultation closed on the 24 December 2008 and DCLG indicated that a revised Code could be expected in May 2009. Monitoring Officers have been advised that the long anticipated changes to the Code will not now be laid before Parliament prior to the Elections due to a lack of parliamentary time. We will await further updates from DCLG and Standards for England in this area however current thinking indicates that there may be support for a wider review of the Code of Conduct than had previously been proposed.

### **4.3 Training**

- 4.3.1 Following the successful Standards Committee joint training with Broxbourne Borough Council on 28<sup>th</sup> July 2009, the Monitoring Officer has been discussing opportunities for other joint standards training with the Head of Legal from Broxbourne. This was scheduled to be early in 2010 as agreed at the last meeting of the Standards Committee, possibly based on a mock Assessment Sub Committee, similar in format to that offered by Hertsmere for the Hearings Training on 4 November 2009. The intention would also be to offer it to other Council's within Hertfordshire. Members are asked to consider whether that would be helpful. A verbal update will be given at the meeting regarding likely timescales.
- 4.3.2 This Council has not carried out training for all members in relation to the Code of Conduct during 2009/10 as there were no District Elections and the amended Code of Conduct was awaited. However wide scale training will now follow this years elections as part of an induction process and will include Parish Councils.
- 4.3.3 Standards for England have advised that they will shortly be releasing another two training DVD's. Members will recall that the Committee was shown, and discussed a Standards Board DVD, '*Assessments made clear*' on 10th November 2009. It is proposed to show these DVD's, once received, at a future meeting of the Standards Committee in a similar manner. It is also proposed to circulate these DVD's once received to Parish Councils.

### **4.4 Update from matters arising - Members Interests Checklist and Protocol for Appointment of Parish and Town Councillors**

- 4.4.1 The Standards Committee will recall that a draft Members Interests Checklist and Protocol for Appointment of Parish and Town Councillors was approved at the meeting on 10 November 2009. These two matters are to be referred to full Council. Other workload did not permit these to go to full Council on 3 December 2009 and the nature of the Council's (draft) Agenda's means this will also not be possible in February. These will therefore be going to full Council on 8 April 2010.

#### **4.5 Revision of the Constitution**

- 4.5.1 The Monitoring Officer is the guardian of the Constitution and has to ensure that it adequately reflects the governance arrangements of the Council.
- 4.5.2 The Constitution Review has commenced and is ongoing. All proposed amendments to the Constitution will be referred to full Council because changes to the Constitution require Council's agreement.

#### **4.6 Politically restricted post review**

- 4.6.1 Members will note that a Review of the list of politically restricted posts is on the Work Programme attached.
- 4.6.2 There have been some changes to the rules around political restriction. From 12th January 2010 salary level restriction of posts was lifted. Political restriction of posts now falls into two categories Specified posts and Sensitive posts.
- 4.6.3 This means all those posts that fell in hay scale grade 10, 11 and 12 that were listed on salary criteria only will no longer be restricted.
- 4.6.4 Heads of Service and Corporate Manager will be restricted under the *Specified* post category. Other staff will either be non restricted or restricted on the grounds of the *Sensitive* post category.
- 4.6.5 The Council must hold a list of all our restricted posts. A review is currently underway led by Human Resources, and all Heads of Service and Corporate Managers have been asked to update the list of politically restricted posts by 26<sup>th</sup> February 2010.

#### **4.7 Update on Corporate Governance Website Work**

- 4.7.1 Work has been underway to roll out a new Corporate Governance web page on the Council's intranet. This has been finished and members will note under the reference to Finance and Regulatory Services a new web page on Corporate Governance. The provides links to all the major governance and ethics areas which are looked after by the Monitoring Officer.
- 4.7.2 The intention is to make accessing this information more user friendly and comprehensive.
- 4.7.3 I am advised that an overhaul of the Intranet is to be undertaken by IT Services to bring it in line with the Senior Management Restructure and this is intended to be undertaken in the next 3 months.
- 4.7.4 It is the intention of the Monitoring Officer to roll out a similar page onto the Council's internet by 31 March 2010, which will also reference the work of the Standards Committee.

### **5. LEGAL IMPLICATIONS**

- 5.1 There are no specific legal implications arising from this report. Legal implications will be dealt with when each of the work programme matters are brought back to the Committee.

**6. FINANCIAL AND RISK IMPLICATIONS**

6.1 None.

**7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS**

7.1 None.

**8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

8.1 None, although clerks of the parish councils will receive copies of this report.

**9. RECOMMENDATIONS**

9.1 That Members note the updates in this report and agree the work programme.

**10. REASONS FOR RECOMMENDATIONS**

10.1 To ensure good governance within the Council.

**11. ALTERNATIVE OPTIONS CONSIDERED**

11.1 None.

**12. APPENDICES**

12.1 Appendix 1 – Work Programme.

12.2 Appendix 2 - Quarterly return.

**13. CONTACT OFFICERS**

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