



Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 8th July 2009

Subject: Parish and Town Council Annual Audit 2007

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to update Members of the Standards Committee on the results of the Parish and Town Council profiling exercise, and the actions agreed by the Chair, Monitoring Officer and Parish Members of the Standards Committee at their meeting on 17th February 2009.
2. The Standards Committee received a report on 16th October 2008 which highlighted the results of the Parish profiling exercise (based on the annual audit returns). The Standards Committee agreed that the Monitoring Officer, Chair and Parish Member(s) of the Standards Committee should meet to discuss the results in detail, and then take one of the three actions identified in the report in relation to each Council.
3. The Standards Committee also agreed that the Monitoring Officer and the Chair of the Standards Committee would report back to the Standards Committee in due course on the results of the profile and any action taken.
4. The attached appendix summarises the actions agreed by these Members, and the report summarises the progress made in relation to each of these actions.
5. Members of the Standards Committee are asked to note the decisions of the Chair, Monitoring Officer and Parish Members of the Standards Committee and to note the progress of these actions.

1.0 Purpose Of This Report

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2.0 Background Information

2.1 The Standards Committee received a report on 16th October 2008 which highlighted the results of the Parish profiling exercise (based on the annual audit returns). The Standards Committee agreed that the Monitoring Officer, Chair and Parish Member(s) of the Standards Committee should meet to discuss the results in detail, and then take one of the three actions identified in the report in relation to each Council.

2.2 The Members considered the results in a traffic light system. Those Councils highlighted in green had achieved between 240 and 250 points out of a maximum of 250, those highlighted in amber had achieved between 220 and 240, and those highlighted in red had achieved less than 220. There were six Councils identified which fell into the red category and therefore presented concerns for the Monitoring Officer and the Standards Committee.

2.3 The group were also presented with a page of information for each Parish or Town Council which listed the questions asked in the audit and the scores for their responses. The overall scores were mostly based on the annual audit returns, although the number of complaints and investigations involving Members of the Council were also included. These individual breakdowns assisted Members with understanding how certain Councils received lower scores than others.

2.4 Parish Councils could score more highly for some questions than others, for example, "Has the Council adopted the new Code of Conduct?" was given a potential score of 20. This is because this question relates to a legal obligation and is therefore of more importance than whether Members are willing to take part in further training (which was only given a potential score of five points). Explanatory comments were also provided with the responses which assisted Members with understanding the scores allocated, and were in some cases considered to be mitigating factors.

2.6 At the Standards Committee meeting on 16th October 2008, Members of the Committee agreed that:

- Those from the best performing Councils will be congratulated on their results and perhaps asked whether they would like to work with the Standards Committee in order to assist some of their neighbouring Councils.
- Those Councils who have some weaknesses in their score, but are not of particular concern to the Monitoring Officer and Chair, will be provided with additional guidance and assistance to address those areas.
- Those who are identified as being poor performers will be asked to meet with the Monitoring Officer, the Chair of the Standards Committee, and the Parish representatives on the Committee to highlight the importance of their obligations and to discuss what help and assistance they require.

- 3.7 The Standards Committee also agreed that the Monitoring Officer and the Chair of the Standards Committee would report back to the Standards Committee in due course on the results of the profile and any action taken.

3.0 Main Issues

Actions agreed by the group

- 3.1 Appendix 1 to this report lists the actions agreed by the Chair, the Monitoring Officer and the Parish Members at their meeting on 17th February 2009. The group considered each of the responses and identified common problem areas, such as the declaration of interests and problems with training for new Parish Clerks.
- 3.2 Members of the Standards Committee should note that the individual letters and guidance packs (if necessary) have not yet been sent to the Parishes due to resource issues in the Corporate Governance Team. It is anticipated that this information will be sent out by the end of August 2009.

Progress against the action plan

- 3.3 Members of the Standards Committee should note that the proposed actions which relate to the adoption of the revised Members Code of Conduct, including assistance for Parish Clerks in publishing a notice about the Code's adoption, will now be delayed until after the Code's publication.
- 3.4 According to the Communities Progress Report, which was published on the Communities and Local Government website on 1st June 2009, the implementation of the revised Members' Code of Conduct has been delayed until Summer 2009. Members will recall that the Code was initially expected to be in place in time for the local elections. In addition, the response to the consultation paper on the revised Code of Conduct has not yet been published.
- 3.5 With regard to the guidance for Clerks and Councillors on declarations of interest, the Corporate Governance Team ran a training session following the Parish and Town Council Conference on 13th May 2009 on the registration and declaration of interests. This was attended by six delegates, including two Clerks.
- 3.6 Further guidance will be distributed with the letters based on the Standards Board guidance on the Code and the guidance notes for Governance Services staff on recording interests in minutes.
- 3.7 In relation to the Induction Pack for Parish Clerks, a resource has been identified on the Standards Board website called the "Governance Toolkit for Parish & Town Councils". This has been produced by the Association of Council Secretaries and Solicitors, the National Association of Local Councils, the Society of Local Council Clerks, the Local Government Association, Milton Keynes Council, and the Standards Board. The contents list for the toolkit is attached as Appendix 2 to this report, and includes a model job description for a Parish Clerk, which was something the group were keen to create.
- 3.8 It is proposed that this induction pack is sent to each new Parish Clerk as soon as the Council is notified that a new Clerk has been appointed.
- 3.9 Finally, attendance at the Parish and Town Council Conference was monitored by the Parish Council Liaison Officer and the Corporate Governance Team will continue to maintain records of who attends the training sessions provided by them.

Only two delegates from 'red' Parish and Town Councils attended the Parish and Town Council Conference and no Clerks.

4.0 Implications For Council Policy And Governance

- 4.1 It is part of the Standards Committee Terms of Reference to promote, monitor and review and Codes of Conduct and to provide advice and guidance to Members and officers and to make arrangements for training in matters relating to codes of conduct and protocols.
- 4.2 It is essential that Parish and Town Councils are assisted with complying with their legal duties in order to maintain high standards of governance, and to ensure public confidence in local democracy.

5.0 Legal And Resource Implications

- 5.1 There are resource implications to providing the additional guidance and arranging the meetings that have been requested as part of the Annual Audit Action Plan, although it is anticipated that these can be met once the resource issues in the Corporate Governance Team have been resolved.
- 5.2 There would be legal implications the Parish and Town Councils not complying with their statutory duties, such as publishing a notice regarding their adoption of the Code of Conduct.

6.0 Conclusions

- 6.1 The Standards Committee received a report on 16th October 2008 which highlighted the results of the Parish profiling exercise (based on the annual audit returns). The Standards Committee agreed that the Monitoring Officer, Chair and Parish Member(s) of the Standards Committee should meet to discuss the results in detail, and then take one of the three actions identified in the report in relation to each Council.
- 6.2 Appendix 1 to this report lists the actions agreed by the Chair, the Monitoring Officer and the Parish Members at their meeting on 17th February 2009. The group considered each of the responses and identified common problem areas, such as the declaration of interests and problems with training for new Parish Clerks.
- 6.3 Members of the Standards Committee should note that the individual letters and guidance packs (if necessary) have not yet been sent to the Parishes due to resource issues in the Corporate Governance Team. It is anticipated that this information will be sent out by the end of August 2009.

7.0 Recommendations

- 7.1 Members of the Standards Committee are asked to note the decisions of the Chair, Monitoring Officer and Parish Members of the Standards Committee and to note the progress of these actions.

Background Documents

Standards Committee Minutes, 16th October 2008

Report of the Assistant Chief Executive (Corporate Governance) to the Standards Committee, "Parish and Town Council Annual Audit 2007", 16th October 2008

Governance Services Guidance Notes for Staff

“Governance Toolkit for Parish & Town Councils”, available at:
<http://www.standardsboard.gov.uk/Resources/Trainingmaterials/>