

# Ethical Standards Bulletin

## TELFORD & WREKIN COUNCIL

### Ethical Standards Bulletin – Spring 2007

*Welcome to the latest edition of the Ethical Standards Bulletin. This Bulletin is distributed to elected Members from Telford & Wrekin Council, Parish and Town Councils in the Borough of Telford & Wrekin and Members of the Shropshire and Wrekin Fire Authority.*

### FORTHCOMING MEETINGS OF STANDARDS COMMITTEES

#### *Telford & Wrekin Council Standards and Audit Committee*

Meetings are scheduled to take place on the following dates: -

- **Tuesday 19<sup>th</sup> June 2007**
- **Tuesday 11<sup>th</sup> September 2007**
- **Tuesday 30<sup>th</sup> October 2007**
- **Wednesday 5<sup>th</sup> December 2007**
- **Tuesday 29<sup>th</sup> January 2008**
- **Thursday 3<sup>rd</sup> April 2008**

Meetings normally commence at 6pm in the Civic Offices.

#### *Shropshire and Wrekin Fire Authority Standards Committee*

Meetings are scheduled to take place on the following dates: -

- **Monday 23<sup>rd</sup> July 2007**
- **Monday 29<sup>th</sup> October 2007**
- **Monday 18<sup>th</sup> February 2008**
- **Monday 16<sup>th</sup> June 2008**
- **Monday 13<sup>th</sup> October 2008**

Meetings normally commence at 5.15 pm and take place at Brigade Headquarters, Shrewsbury.

## **Important information for all elected Members**

**All Members** are reminded that within 28 days of election or re-election to office, you must sign a declaration of acceptance of office, which includes a specific undertaking to observe the Members' Code of Conduct. Councillors from Telford & Wrekin can sign their forms at meetings which have been arranged to take place on **Tuesday, 8th May 2007** at 1.00pm and 3.00pm in the Executive Office Meeting Room, 3<sup>rd</sup> Floor, Civic Offices.

**Please note** that failure to sign your acceptance of office form has serious consequences:

- You will be unable to undertake any of your duties as a Member until you have done so.
- If you do not make your declaration within 2 months, there will be an automatic vacancy which will have to be filled as a casual vacancy.

**All Members** are also required to complete a Register of Interests form within 28 days of being elected. Telford & Wrekin Councillors can obtain this form from Democratic Services. **Parish & Town Councillors** will be sent a Register of Interests form with their briefing pack. For those Members appointed to the **Shropshire & Wrekin Fire Authority**, a Register of Interests Form can be obtained from Sharon Lloyd, Corporate Services Manager, Brigade Headquarters, St Michael's Street, Shrewsbury SY1 2HJ. Tel: 01743 260210 or by e-mail [Sharon.lloyd@shropshirefire.gov.uk](mailto:Sharon.lloyd@shropshirefire.gov.uk)

Details of information to be disclosed on a Register of Interests form are contained in the Members' Code of Conduct.

If you fail to complete and submit the Register of Interests form within 28 days, you will be in breach of the Members Code of Conduct and liable to referral to the Standards Board for England.

It is important that you complete the appropriate acceptance of office and Register of Interests forms for each organisation/body for which you hold office. For example, if you are a Telford & Wrekin Councillor, a Parish Councillor and appointed a Member of the Shropshire & Wrekin Fire Authority, you must complete a separate Register of Interests form for **each** Authority.

## **Training for all elected Members on the Code of Conduct**

We are pleased to confirm that there will be training sessions on **Thursday, 19<sup>th</sup> July 2007** for all elected Members on the Code of Conduct. Peter Keith-Lucas, a former Local Authority Solicitor and Chief Executive will be attending to provide the training. There will be two identical sessions in the VIP Suite, Civic Offices, Telford, the first starting at 12.30pm with sandwiches and coffee from 12 noon and the second at 6.00 pm with sandwiches and coffee available from 5.30 pm. Peter visited Telford & Wrekin two years ago and his presentations were very well received by all who attended. The training is essential for all elected Members of Telford & Wrekin Council, Parish and Town Councils in the Borough and for Members of the

Shropshire and Wrekin Fire Authority and will cover the new Members' Code of Conduct which must be adopted by 1<sup>st</sup> October 2007. The new Code will contain significant changes which all elected Members will need to be aware of (see below). The training is available to all Members of the Borough Council, Parish and Town Councillors and Members of the Fire Authority as well as Parish/Town Council Clerks in the Borough.

We also hope to arrange some further training sessions for Parish/Town Councillors later this summer. Details will be provided in due course.

## **A NEW CODE OF CONDUCT IS ON ITS WAY**

Last month, Parliament approved a new Code of Conduct for elected Members which follows a two year period of consultation and discussion about how the current version of the Code could be improved. A summary of some of the changes to the existing Code of Conduct are set out below. However, it is important to note that the new Code of Conduct **is not yet** in force and this will remain the case until it has been adopted by the respective Authority (ie Telford & Wrekin Council, Parish and Town Councils and Shropshire and Wrekin Fire Authority). Plans are already in place for Telford & Wrekin Council Standards and Audit Committee and the Fire Authority Standards Committee to consider the new version of the Code at meetings in June 2007. Parish and Town Councillors can obtain details when any changes to the current Code of Conduct will take place by contacting their Local Parish/Town Council Clerk.

### **A summary of the main changes are as follows:-**

- There is the suggestion that the new Code is to be read in conjunction with the general principles of conduct in public life namely selflessness, honesty and integrity, objectivity, accountability, openness, personal judgement, respect for others, duty to uphold the law, stewardship and leadership.
- A move towards the Code only applying when Members are purporting to act on behalf of the Authority and when Members are acting outside their official capacity only if their actions constitute a criminal offence and relate to intimidation, bringing the Council into disrepute or improperly incurring an advantage.
- A public interest defence to be available in relation to the disclosure of confidential information (or information which a Member "ought reasonably to be aware of as a confidential nature"). The defence in respect of disclosure of confidential information will also be extended to cover disclosure by a Member to a third party for the purpose of obtaining professional advice and providing the third party agrees not to disclose it to any other person.
- The general obligation to treat others with respect is retained, but the positive duty with regard to discrimination is removed and replaced by an obligation not to do anything which may seriously prejudice the Council's ability to comply with this obligation in relation to equality.

- There are specific prohibitions against bullying and intimidation.
- The requirement to report other Members for breaches of the Code has been removed (the “whistle blowing provision”).

At the time of preparing this Bulletin, specific guidance on the new Code is awaited from the Standards Board for England. In the meantime, elected Members must continue to observe the current Code adopted by their respective Authority. All Members will be kept informed of any change to the respective Code of Conduct which applies to them.

## **FURTHER POSSIBLE CHANGES IN THE PIPELINE FROM THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH BILL**

Part 9 of the Local Government and Public Involvement in Health Bill relates to potential changes in Ethical Standards. Some of the changes which are proposed are summarised below.

- There is an intention from a date to be fixed in 2008 that written complaints will no longer be made to the Standards Board for England but instead will be dealt with by Local Standards Committees. It is expected that Sub-Committees of Local Standards Committees will have to be set up to deal in the first part with referrals of complaints and secondly with any hearings if it is considered that a breach of the Code has occurred. A matter can still be referred to the Standards Board for England who will deal with the more serious cases and who will also take on the role of Strategic Regulator in respect of Local Standards Committees. In this respect, a Local Standards Committee will be required to make periodic returns about complaints and case work to the Standards Board (this would not apply to Parish and Town Councils).
- Meetings of Standards Committees will have to be chaired by an independent Member and the creation of Joint Standards Committees (i.e. Committees “shared” by two or more Local Authorities could be made).

We will provide further details in respect of any potential changes that may be brought about by the proposals set out in the Bill in future editions of the Bulletin.

### **Next Edition of the Bulletin**

A new Bulletin will be circulated in Summer 2007. The aim of the Bulletin is to keep all elected Members up to date with current issues and changes in respect of Ethical Standards matters. If there are any issues which you would like to see addressed in the Bulletin, please let us know. Contact details are set out below.

## **CONTACT DETAILS**

In the event that you have any queries with regard to Ethical Standards Matters, including discussion of any of the matters raised in this Bulletin, please do not hesitate to contact the relevant Officers identified below: -

- **For Parish and Town Councillors** you should in the first instance contact your local parish/town clerk.
- **For members of the Shropshire & Wrekin Fire Authority** please contact Mrs Sharon Lloyd, Corporate Services Manager at Brigade Headquarters (Tel: 01743 260210)
- **For all queries from Telford & Wrekin Councillors** the points of contact are set out below:-

**Sue Kembrey** – Head of Legal & Democratic Services and Monitoring Officer  
(Tel: 01952 383200) e-mail. [sue.kembrey@telford.gov.uk](mailto:sue.kembrey@telford.gov.uk)

**Roger Woliter** – Legal Services Manager and Deputy Monitoring Officer (Tel: 01952 383246) e-mail. [roger.woliter@telford.gov.uk](mailto:roger.woliter@telford.gov.uk)

**Matthew Cumberbatch** – Group Solicitor, (Standards and Regulatory), Legal & Democratic Services - (Tel: 01952 383255) e-mail. [matthew.cumberbatch@telford.gov.uk](mailto:matthew.cumberbatch@telford.gov.uk)

**Phil Griffiths** – Democratic Services Manager – (Tel: 01952 383210) e-mail. [phil.griffiths@telford.gov.uk](mailto:phil.griffiths@telford.gov.uk)