

The Isle of Wight Council Ethical Audit



A report prepared by the Standards Committee of the Isle of Wight Council on the work undertaken by that Committee to investigate the current arrangements for delivering ethical standards within the Isle of Wight Council, and to assess the success of those arrangements.

INDEX	Page No
Introduction	1
Executive Summary	2
Phase 1 Desk Top Review	5
Phase 2 - Questionnaire	8
Phase 3 – Qualitative Research	32
APPENDICES	
Appendix 1 - Transcripts of Interviews	39
Appendix 2 – Methodology	56
Appendix 3 - Questionnaire Circulation List	78
Appendix 4 - Complementary Work (Governance Audit)	79
Appendix 5 - Action Plan	85

INTRODUCTION

- 1.1 The ODPM Parliamentary Select Committee, in its report *The Role and Effectiveness of the Standards Board for England*, published on 7th April 2005 stated that:

“It remains our belief that incidents of misbehaviour and corruption within local government in England are isolated and atypical. The majority of local government councillors and officials unflinchingly adhere to the high standards that Government expect and the public deserve.”

- 1.2 As this report shows, there is reason to believe that this confident statement is also true of those who serve the public through membership off, and employment by, the Isle of Wight Council.

There is, however, no room for complacency.

- 1.3 During 2004 an Isle of Wight Councillor was disqualified from holding public office for a lengthy period of time for bringing his office into disrepute. There have been disqualifications of two Town/Parish Councillors in recent years.

- 1.4 Further, there is evidence of a significant and worrying gap between evidence of generally high standards of conduct within the Isle of Wight Council (albeit with some exceptions) and a widespread perception that standards are, endemically and seriously, lacking.

- 1.5 To a significant degree perception *is* reality so far as standards of conduct are concerned. Creating a bad impression is as corrosive in public life as genuinely bad behaviour. It erodes public confidence in the quality of services; it tarnishes the reputations of institutions and of individuals; it deters the next generation of talented public servants from coming forward to offer their services, and it undermines the sense of community of which the Island is rightly proud.

- 1.6 The challenges set out in this report are generally about perception. As such, they are as serious, and as difficult to address, as any set of challenges rooted in evidence of serial failures of standards.

- 1.7 The production of this report relied on the efforts of numerous people, many of whom gave freely of their own time. The best thanks which can be given to them is that the recommendations which have come from their input are pursued enthusiastically and rapidly.

November 2005

Bruce Claxton
Standards Committee Chairman

John Lawson
Monitoring Officer

EXECUTIVE SUMMARY

Methodology

- 2.1 The idea for undertaking the audit, and the core of the methodology, came from a tool developed by the Improvement and Development Agency.
- 2.2 That model was developed for local application. The audit has at times progressed slowly. In part that was because the Standards Committee wanted to be sure that the methodology being followed would produce meaningful results.

A detailed methodology is reproduced as Appendix 2.

A Phased Approach

- 2.3 The audit was undertaken in three phases. This had the benefit of allowing interim recommendations to be made and acted upon as the audit progressed. It also allowed each phase of the audit to be designed in the light of the outcome of the previous phase. Finally, this approach suits the Standards Committee environment where the scheduled meetings are relatively far apart.

Phase 1- Desk Top Review

- 2.4 This phase asked whether all the structures, policies and documents needed by a well run council with high standards of ethics and probity were in place, up to date, fit for purpose and easily accessible. The yardstick for measuring whether the necessary elements were in place was the IDeA ethical audit tool.
- 2.5 The picture was generally positive with no significant gaps in the structures or documents. There were, however areas which needed improvement. Not all the documents were consistent with each other, and few were as easily accessible as they needed to be. A series of interim recommendations were made, and have been acted upon.

Phase 2 – Questionnaire

- 2.6 If the structures, policies and documents were generally in place, up to date and fit for purpose the next step was to assess whether they are widely known about – and whether they are followed or breached.
- 2.7 A questionnaire was devised and circulated to the list of people and organisations at Appendix 3. Response was lower than hoped – but nevertheless some interesting patterns and trends emerged.

- 2.8 The conclusions of the questionnaire can be summarised as follow:
- a. The building blocks (ie policies and codes etc) for high and improving standards of ethics and probity are in place;
 - b. The knowledge of these building blocks, how to access them and from whom to seek advice needs some attention;
 - c. The perception is that there is poor regard to ethics and probity within the Council; however
 - d. This is not borne out by evidence of actual poor regard to ethics and probity; and
 - e. There is a clear need to tackle this poor perception
- 2.9 The interim report at this stage therefore identified a potential finding which needed testing on a group of stakeholders through individual interviews. The emerging finding was that there is evidence of a gap between actual standards (which are relatively high) and public/stakeholder perception (which is that standards are poor).

Phase 3 – Individual Interviews

- 2.10 This phase gave the most insight – and the challenging outcomes.
- 2.11 There is, interviewees reported, a great gulf between their own experience of the local authority and it's elected members, and public perception.
- 2.12 There is evidence that there are a number of reasons for this. One reason is that there is still a legacy from previous poor personal conduct. More significantly, it seems to be that the national focus on standards and probity as synonymous with personal conduct is not proving helpful on the Island. There is, among a number of stakeholders, a clear view that performance and accountability for performance is as important as standards of personal conduct.
- 2.13 There is a separate message about the toll which public service takes on elected members. This is clearly a moral issue, and one which needs to be accommodated under the label of ethics and probity if local concerns are to be responded to.

Action Planning

2.14 The audit needs to be translated into action. The timing of this report is designed to offer the analysis and recommendations to a new council – and to new and returning councillors. The work done to date, by the Standards Committee leaves a legacy for the new council – in the form of significant challenges, but also some well founded recommendations for action.

Complementary Work

2.15 The audit has not been undertaken in isolation but has been explicitly designed not to replicate or overlap with other work being undertaken. The most closely aligned piece of work is an audit of the governance arrangements of the local authority. A summary of that work is set out at Appendix 4.

PHASE 1 – DESK TOP REVIEW

- 3.1 At the first meeting of the working group on 5 August 2003 the first part of a desktop review of policies and processes was completed. The exercise was to identify whether the list of documents set out in the methodology were in existence and, secondly, to classify those document which did exist into three groups – those following national models or statutory format (and therefore not open to local improvement/development); those within local control but appearing fit for purpose; and those meriting closer inspection.
- 3.2 The second part of Phase 1 consisted of more detailed scrutiny of those documents categorised as 3 in the initial part of the phase – those documents which merited closer review. That exercise took place through individual reading and a feedback meeting on 7 October 2003.

The category 3 documents were reviewed against five criteria:

- Comprehensibility/user-friendliness
- Clarity of responsibility for implementation
- Arrangements for monitoring implementation/adherence
- Clearly planned evaluation/review
- Clear lines of distribution/communication

- 3.3 The working group took the opportunity to do some minor draft improvements as part of the process.
- 3.4 The following table sets out the product of the examination of the documents and the Standards Committee endorsed them as recommendations to the Monitoring Officer and the Council in conducting a planned technical review of the constitution during winter 2003/04, which was also planned as part of the CPA Improvement Plan.

1.	Key constitutional documents, including all of those identified as being Category 3 in this review should be brought together in a single document or organised in a coherent and cross-referenced fashion. The revised document to include a single index identifying when each document was last updated and when planned for review. This information should be replicated as footers to all locally produced documents, a useful model is contained in the current confidential reporting procedure.
2.	All the existing locally produced documents require updating/refreshing to reflect changes in personnel/job titles, Council structures and legislation – where possible future-proofing by removing references to names.
3.	Accessibility will be encouraged by a consistent numbering regime which works in both electronic and hard copy formats.

4.	The planned review of the constitution should have as an objective a reduction in the current number of procedure rules and protocols and, as a second objective, to be shorter and to avoid some of the existing repetition.
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3.5 Some of the documentation reviewed by the desktop review was absent or inadequate. The Standards Committee made the following interim recommendations to address these gaps:

Interim Recommendation	Responsible
Support for members. Through discrete guidance and/or amendment of the Members' Handbook, Members entitlement to administrative support; training; accommodation; publicity; media relations; publications; travel and subsistence should be more clearly set out.	Monitoring Officer
Members' correspondence. Through discrete guidance and/or amendment to the Members' Handbook, guidance to Members on dealing with correspondence should be set out.	Monitoring Officer
Declarations of interest. Following assessment of sufficiency/completeness of Standards Board guidance, further local guidance to be issued, over a period of time, to support/reinforce good practice in declarations of interest.	Monitoring Officer/ Standards Committee
Gifts and hospitality. Following assessment of sufficiency/completeness of Standards Board guidance, further local guidance to be issued over a period of time to support/reinforce good practice in registration of gifts and hospitality.	Monitoring Officer/ Standards Committee
Statutory officers. Detail of responsibility/arrangements for discharge of functions of three statutory officers should be set out in single A4 summary for inclusion in Members' Handbook, on website, circulated to staff.	Statutory Officers
Audit Reports (internal/external). A clear protocol/record of the mechanisms for reporting to Members, public availability, responsibility for implementation and monitoring implementation is required.	Chief Financial Officer/Compliance and Risk Manager
Audit Code of Conduct. The existence and availability of the Audit Code of Conduct needs to be publicised.	Chief Financial Officer/Compliance and Risk Manager

Interim Recommendation	Responsible
<p>Members' Induction. The Members' induction programme should be added to, in order to ensure new Members are able to feed back more formally, via their mentor or otherwise, during the process and to ensure a development/training needs assessment is produced during the course of the induction.</p>	<p>Chief Executive Officer</p>
<p>Article 9 of the Constitution is amended to add after the words "Parish Councils": "EXCEPT:</p> <ol style="list-style-type: none"> 1. When determining complaints against members of the Isle of Wight Council referred by an Ethical Standards Officer when the quorum will be any 3 members; or 2. When determining complaints against a Parish or Town Councillor referred by an Ethical Standards Officer when the quorum will be 3 members including the representative of the Isle of Wight Association of Town and Parish Councils (of their deputy)." 	<p>Monitoring Officer</p>

PHASE 2 – QUESTIONNAIRE

4.1 140 questionnaires were returned to the council from Members and Officers, just shy of 50% of the paper copies sent out in March and April 2004. 22 Members and Officers accepted our invitation to complete a copy on-line (16% of responses). Overall, 104 responses were received from Officers, and 26 were received from Members, there were also 10 respondents who failed to specify their position on the Questionnaire.

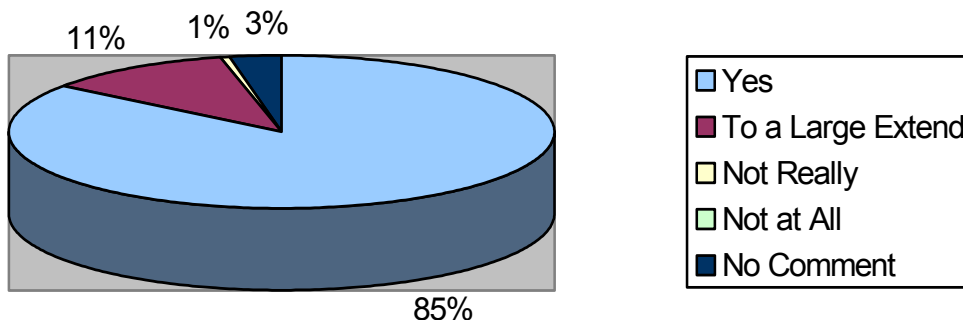
Members of the public were also invited to respond on line, however, only 5 did so.

4.2 This evaluation is divided into 3 parts, Part 1 deals with questions asked to Members, Officers and the Public, Part 2 deals with responses from Members and Officers only and Part 3 deals with responses from the Public.

Part 1.

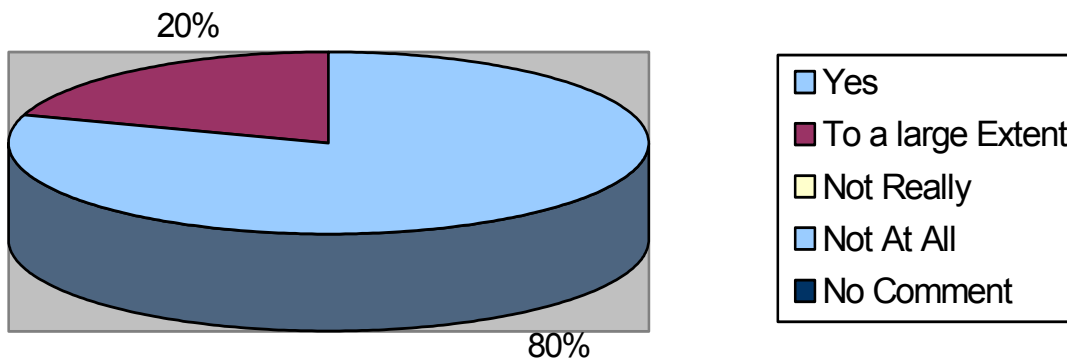
Question 1: Is it important for Local Government to establish and operate by a set of strong ethical values?

Member and Officer Response:



Members and Officers clearly agreed with the external replies in the fact that it is of the highest importance that the Authority operates by set of strong ethical values.

Public Response:

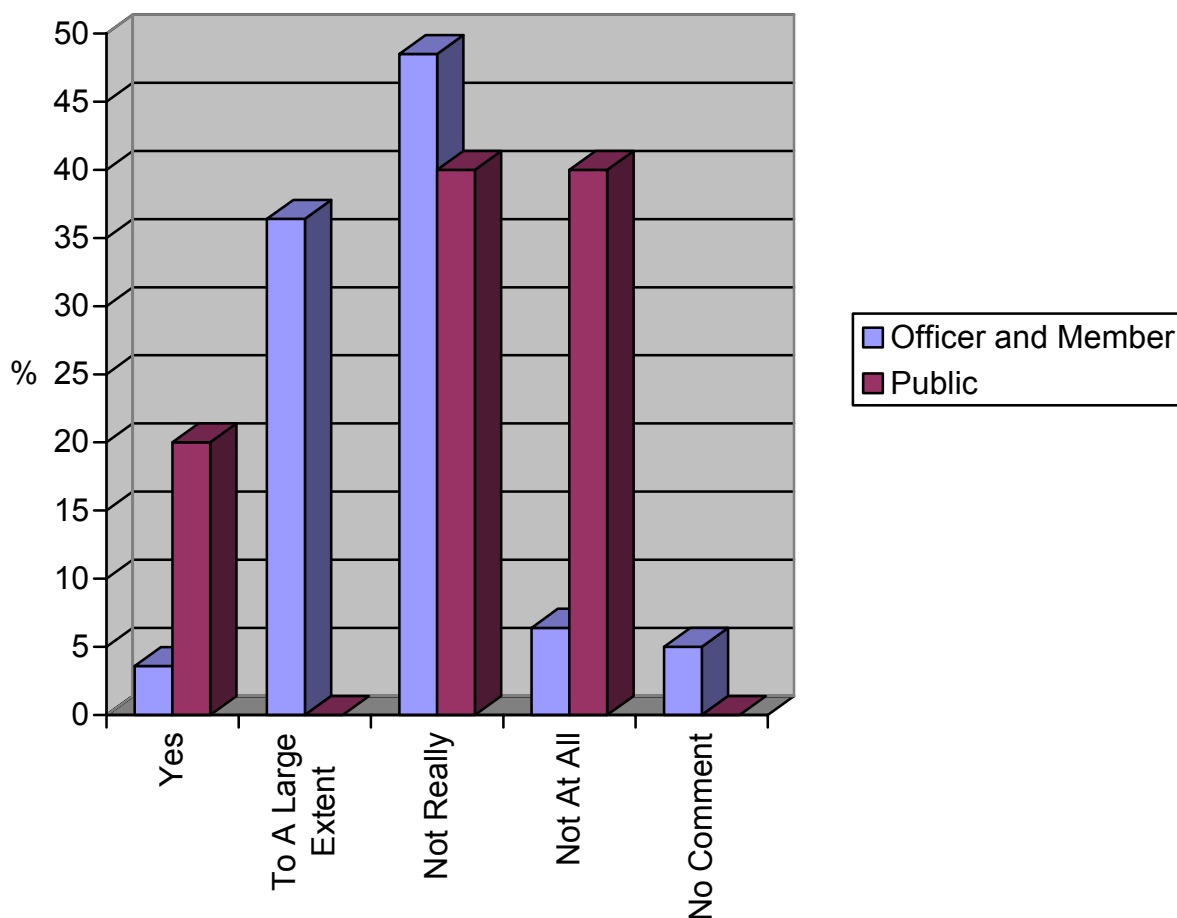


In fact the total combined respondents for each category of answer reads like so:

	Yes	To a Large Extend	Not Really	Not At All	No Comment
Frequency.	124	16	1	0	4

Question 2: Do you think the public perceive ethical standards within the council to be good?

Response to Question 2.

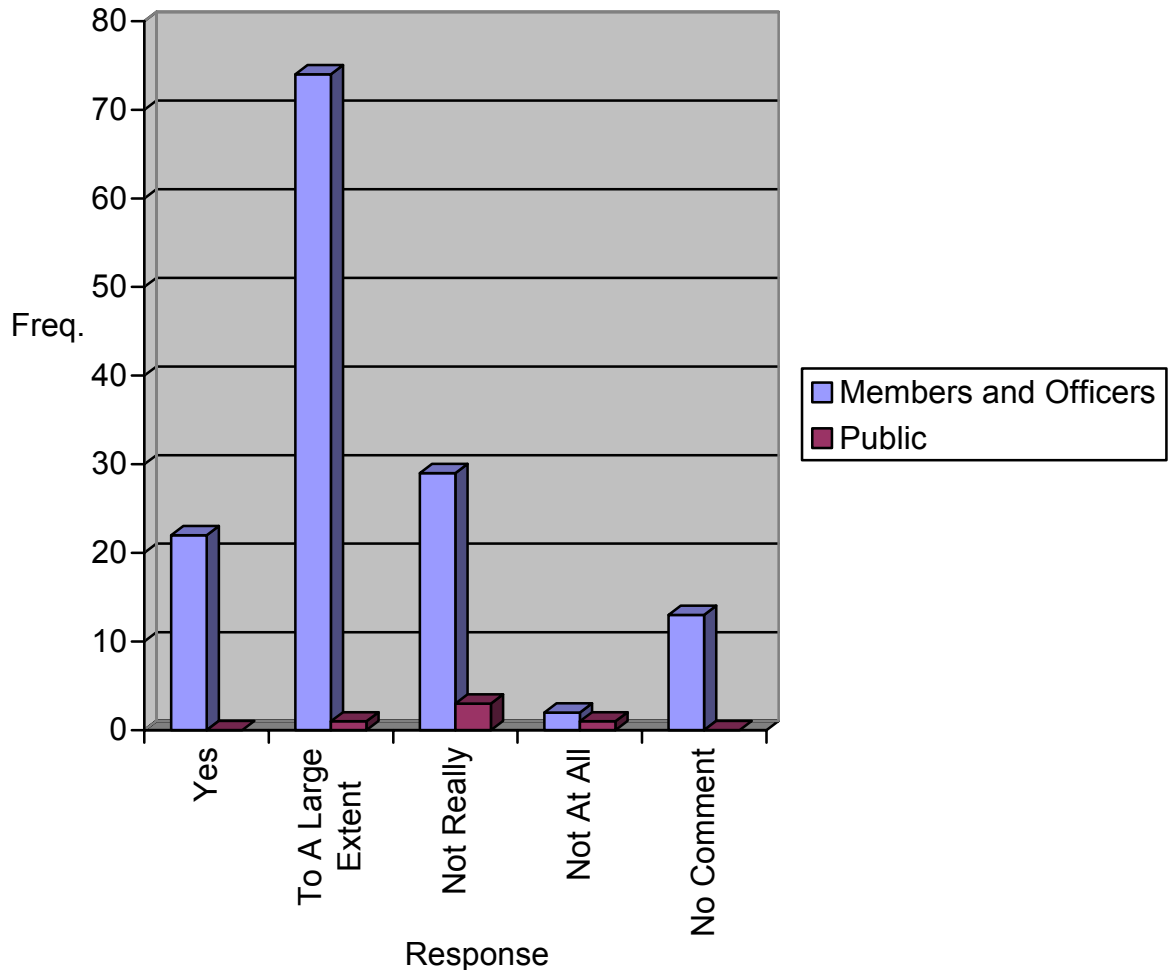


The similarities between the groups here are clearly limited, further more so by the fact that due to only receiving 5 replies from the public, 40% may not carry as much weight as it would if we had received 100 replies. It remains that two persons agreeing on a matter may be regarded ‘as a fluke’ rather than a fair representation of public opinion.

Having said that, the members and staff of the Isle of Wight Council do not appear convinced that the public has a perception of the Council abiding by a series of good ethical standards, with the majority, 48.6%, answering ‘Not Really’, and a tiny 3.6% replying with a definite ‘Yes’ that the Council is perceived in good light regarding this.

Question 3: Do you believe standards of ethical conduct in this authority are high?

This question, in reflection to question 2, asked the individual for their own opinion, and not what they perceived the general public's opinion to be.

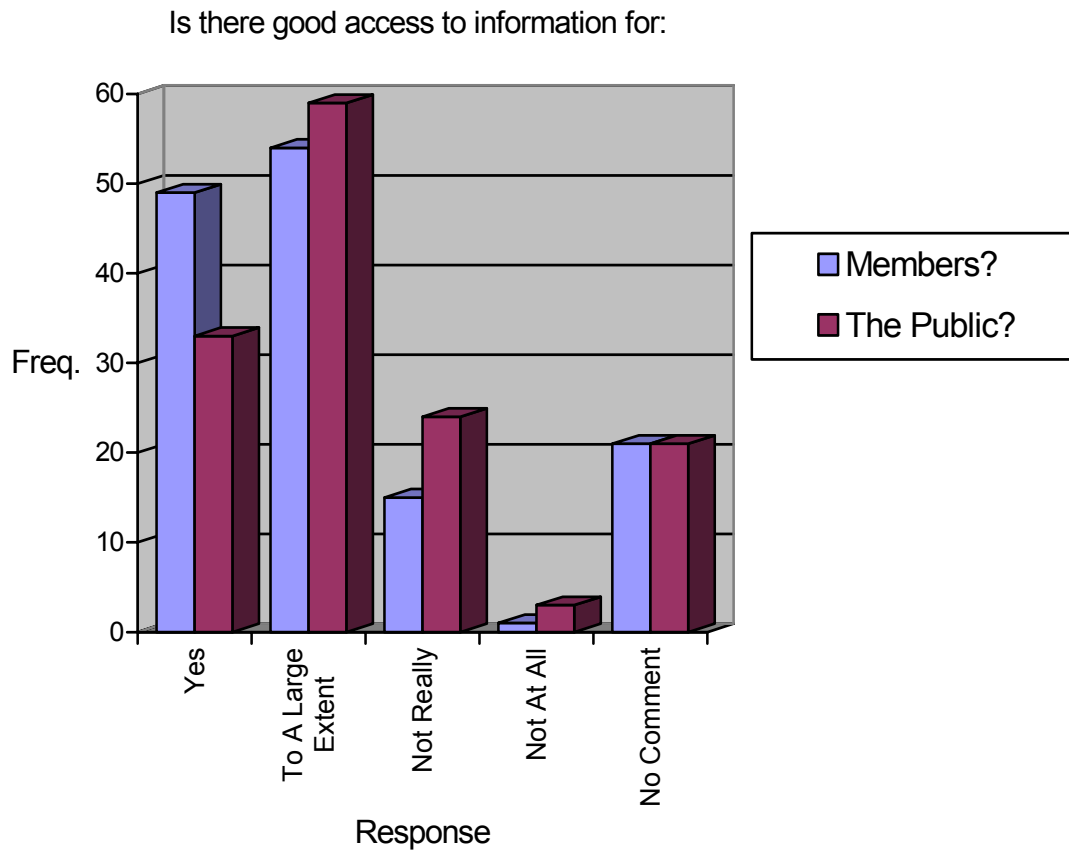


At first glance this appears to be a positive response to the question, the vast majority of staff and members view the Council as having good ethical standards. However, one fifth of respondents from within the Council still clearly feel that these standards could improve, suggesting that they are 'Not Really' of a high standard.

The response from the public reflected the view from the previous question, with negative responses.

Question 4 (a & b): Is there good access to information for Members/the Public?

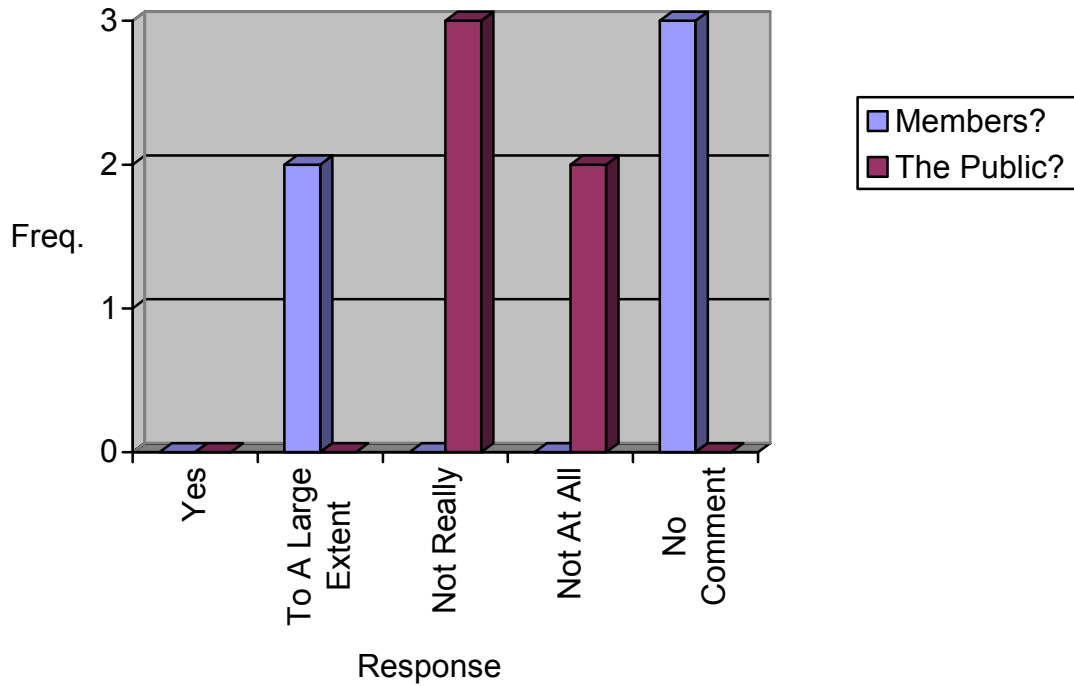
Member/Officer Response:



As we can see the amount of negative responses is outweighed dramatically by the positive responses, in fact, the number of persons who decided not to comment is almost identical to those who responded negatively (42:43 respectively).

Question 4 (a & b): Is there good access to information for Members/the Public?

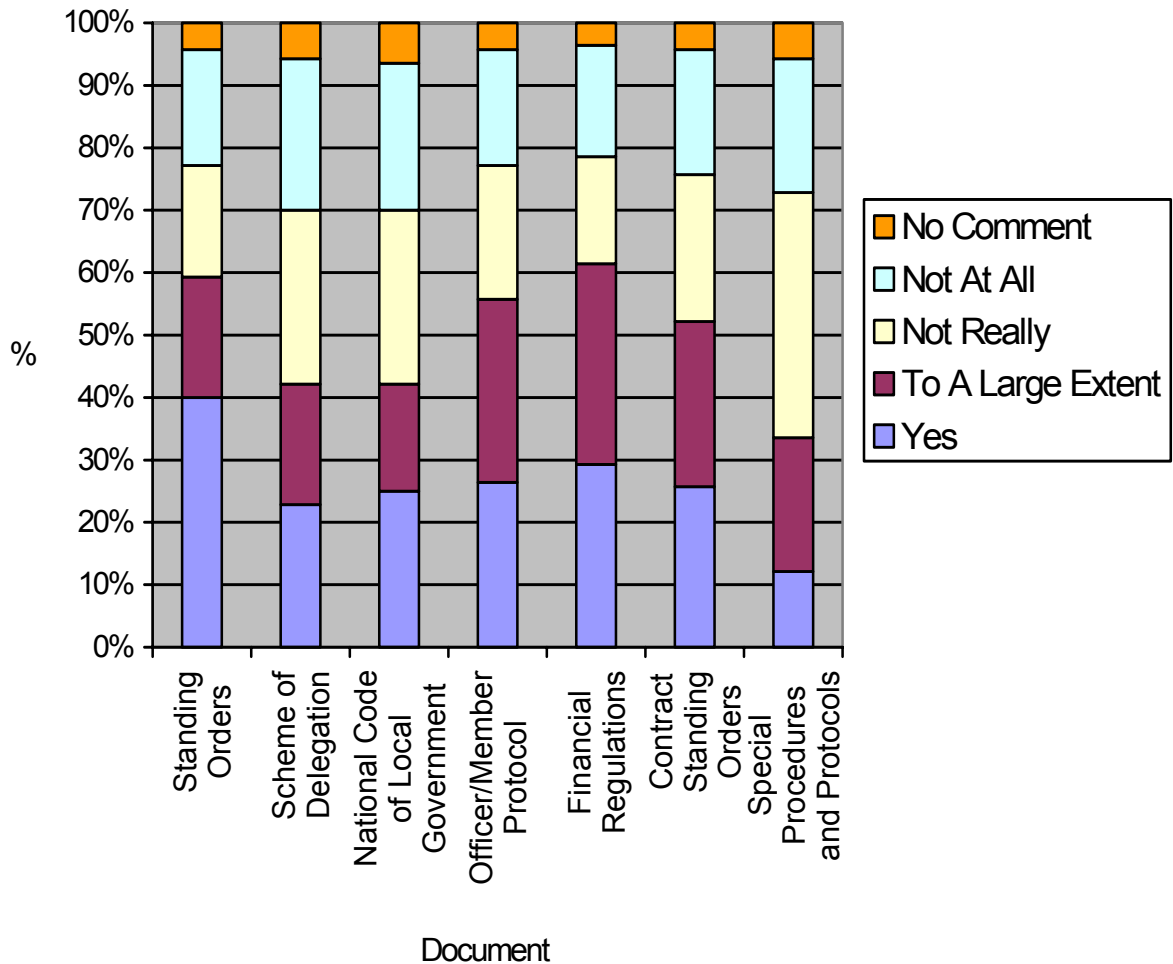
Public response.



Understandably the majority of the responses regarding access to information for members came back as 'No Comment'. Where as the response of access to information for the public would suggest that either better access needs to be created or better awareness of what is available needs to be made. Once again though, the return figures are too small to allow a reliable judgment.

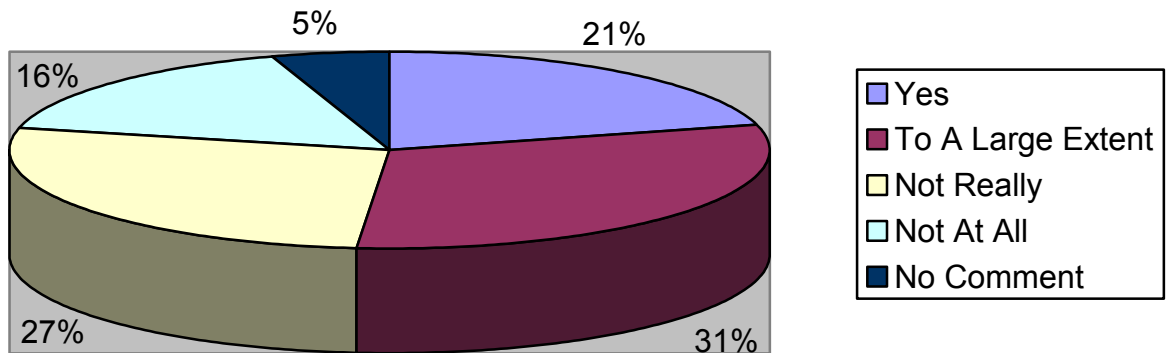
Part 2: The Following questions were asked of Members and Officers Only.

Question 5: Are you aware of and have a broad understanding of the following documents?

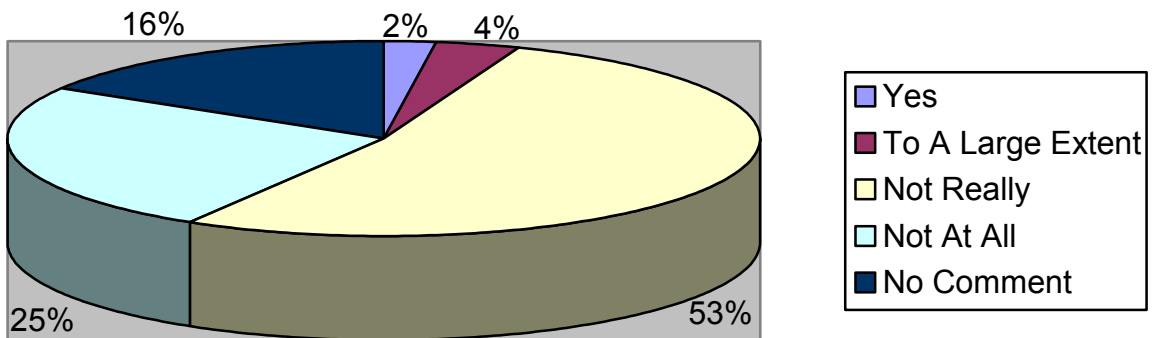


Looking at this graph as a whole suggests that about half of the Members and Officers who replied to this questionnaire have a fairly decent knowledge of these documents. With two exceptions the line between 'To A Large Extent' and 'Not Really' lies somewhere between 40 and 60%. It is also important to remember that in the above chart, the 'No Comment' section represents neither a positive nor negative response, and if removed each possible response is enlarged by 25% of the size of the 'No Comment' response and taking the line between the two groups ('Not Really' and 'To A Large Extent') slightly higher, in most cases closer to 50% and in some taking it above the median line.

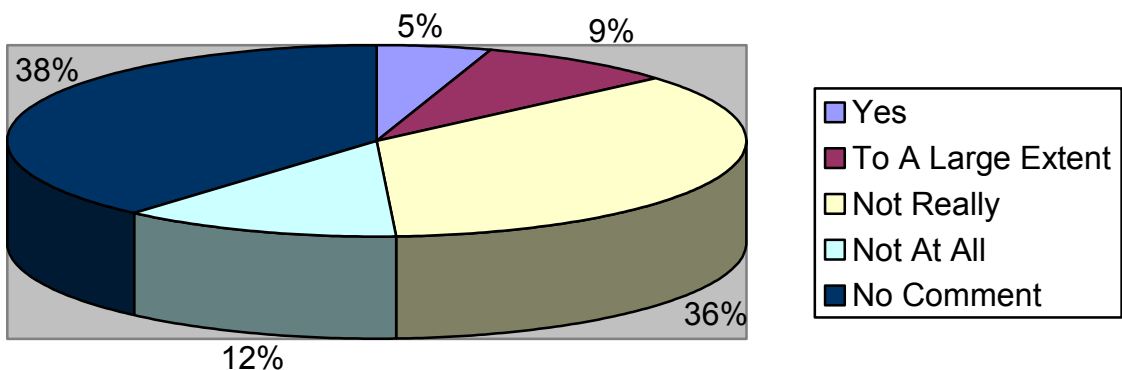
Question 6a): Do you know where you can put your hands on the above documents?



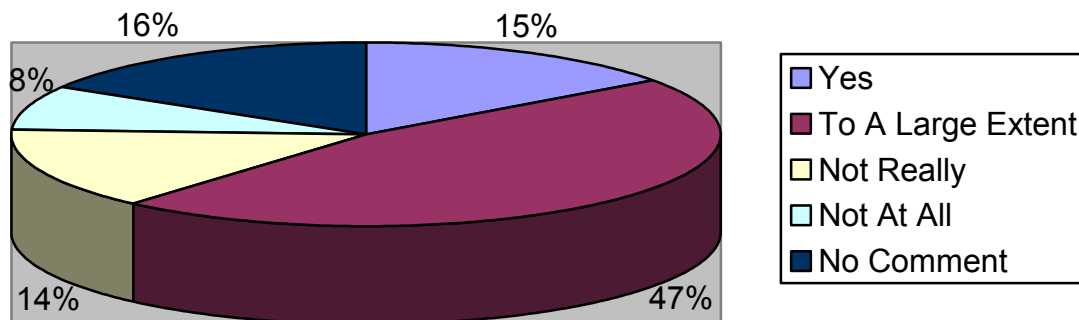
Question 6 b): Are you aware of any significant ambiguities or omissions in any of these documents?



Question 6 c): Do any of these documents provide you with a mechanism for improving the documents?



Question 6 d): Are you satisfied with the present procedures leading to the selection and appointment of officers?

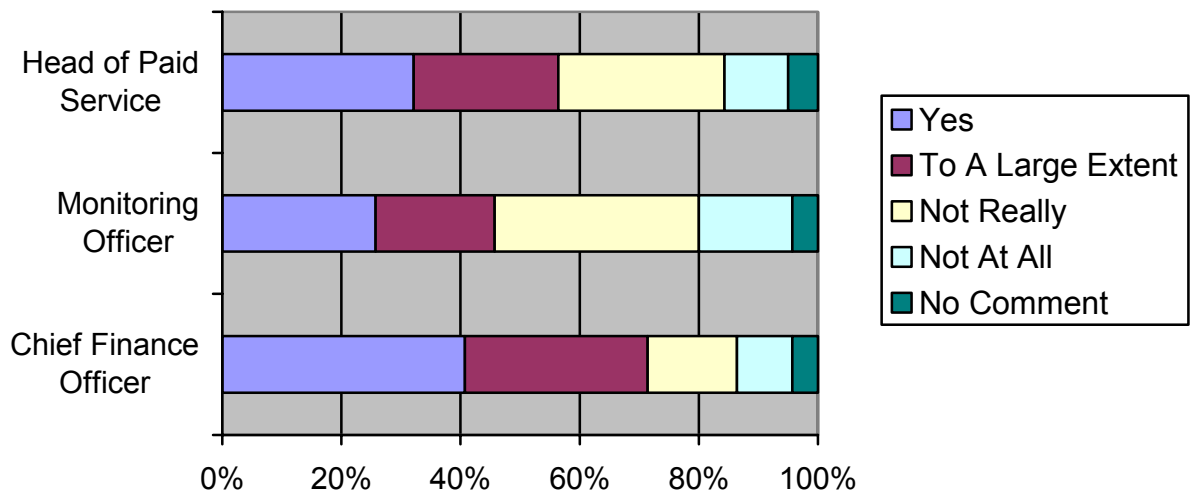


For the various above parts of Question 6, there are large quantities of 'No Comment'. This is to be expected however, as not all staff who were forwarded questionnaires would be in a position to answer these questions, having never been involved in the administrative or political side of the council.

a), b) And d) all have favourable responses, suggesting that the majority know how to get their hands on the documents mentioned in Question 5, that they are not aware of any serious ambiguities or omissions in the documents and furthermore they are satisfied by the selection procedures for the appointment of officers.

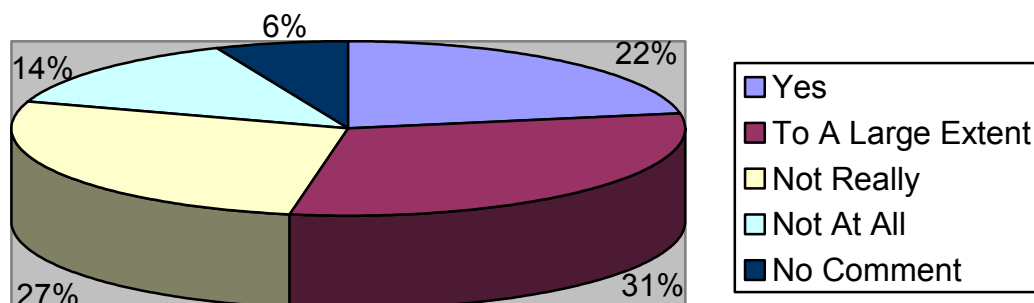
However, c) is more negative, as a massive 48% chose 'Not Really' or 'Not At All', whilst 38% chose not to comment, leaving only 14% for positive responses. It is possible though that many have ticked negative responses by default, it appears the vast majority may not know the answer to this question, and those who choose to tick a response when they don't know, will prefer to choose a more neutral answer, such as 'Not Really' as opposed to committing themselves to strong leading replies such as 'Yes', 'Not At All' or 'To A Large Extent'. This theory is supported by the fact that 36% of persons who responded 'Not Really' did not answer 'No Comment' to any questions. There were 31 people in total who left no questions blank and never gave 'No Comment', of these 31 people, 18 of them replied 'Not really' to Question 6c), or 58%. Although this does not, and cannot prove anything due to the anonymous nature of the Questionnaire, it does suggest that 'Not Really' is the choice for the respondent whom is unsure of how to answer.

Question 7: Do you have a reasonable understanding of the role of the following statutory officers?



We see above that an average of over 50% know the roles of the before mentioned officers. Again it is worth remembering though that due to the anonymous nature of the Questionnaire we do not know the role of the respondents, with a minimum of 80% of the returned questionnaires being randomly sent out within the council (20% of returned Questionnaires were returned by email, so we do not know if these were sent out or filled in on-line), it is very likely that many respondents would never have had the need to know whom these Officers are, especially, as is reflected in graph above, the Monitoring officer, whose main responsibilities lay with the members of the council. This is not to say of course whether they do or do not need to know who the above officers are, but nor is it to say whether or not the information is there if the respondent wishes to find out.

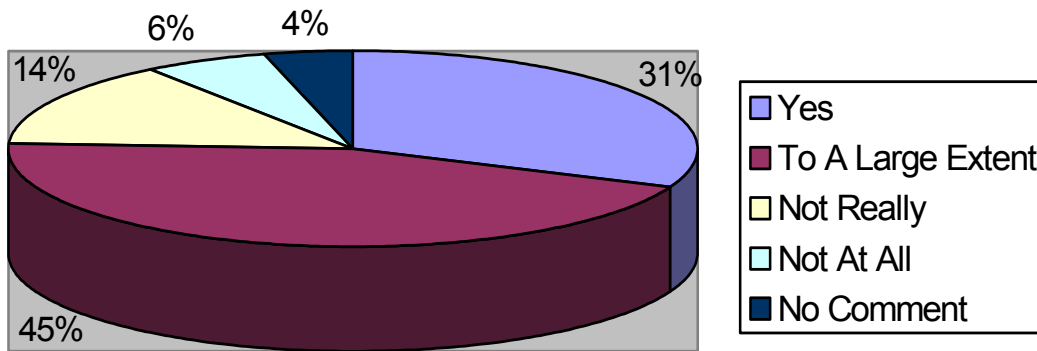
Question 8: Do you have a good understanding of the processes for the conduct of local authority business?



In hindsight this Question was maybe too broad to be effective, the term 'local authority business' can cover any amount of activities by the Council, and it is extremely unlikely that one person can have extensive knowledge on how the

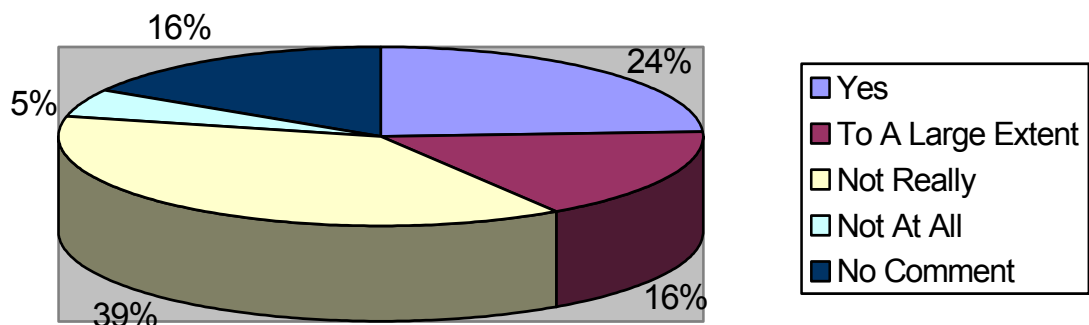
entire authority is run. As discussed in Question 6c) the possibility is that with such a broad question, those who were unsure would be inclined to tick the 'Not Really' response. In which case a positive reply of over 50% is still relatively successful.

Question 9: Do you receive clear information about the work of the Council which is relevant to you?



The result to this question is possibly more important and more telling than the results to Question 7, the overwhelming evidence here is that the members and officers of the Isle of Wight Council receive clear information about the work of the council as is relevant to them. Even compared to question 5, this is a very positive response; in Question 5 between 40%-60% of Respondents were familiar with certain documents, bearing in mind that some of these documents may have had no bearing on the individual and their position within the council. The above chart shows that 76% of respondents are satisfied with the information they receive regarding their position within the Council.

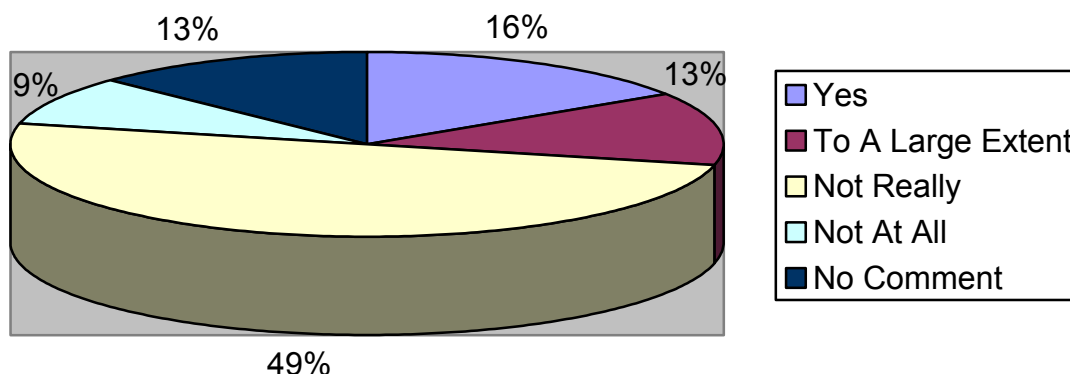
Question 10(a): Do you think there is any complacency about standards of conduct within Members?



- 40% of Respondents believe that there is a level of complacency within Members.

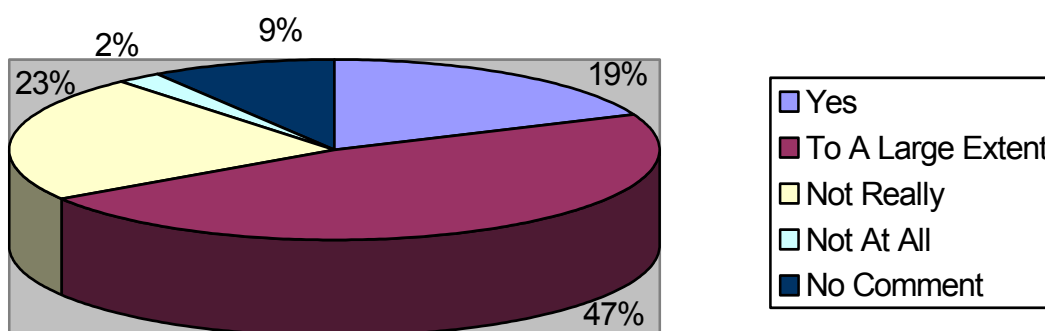
- There were 26 Responses in total from Members of the Council, meaning that over 30% of the Members believe there is complacency amongst Members about standards.
- 42% of Officers believe there is some level of complacency amongst Members regarding standards.

Question 10(b): Do you think there is complacency about standards of conduct within Officers?



- 29% of Respondents believe that there is a level of complacency within Officers.
- 38% of Members feel that there is complacency amongst Officers.
- 114 Officers Responded, 26% of who feel that there is complacency amongst Officers regarding Standards.

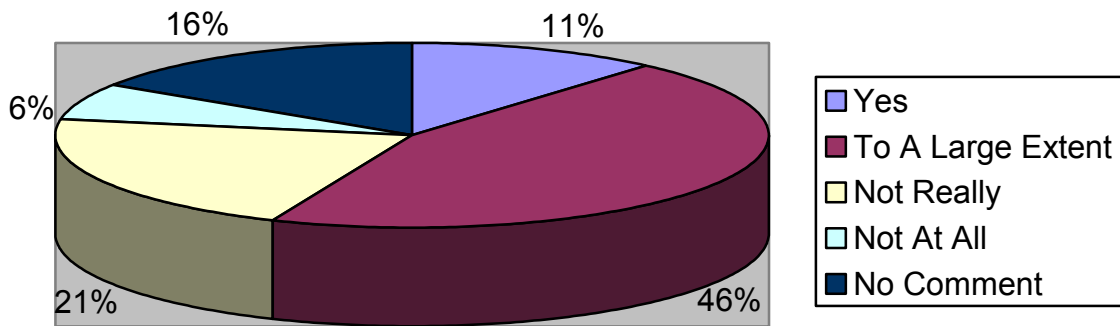
Question 11: Do you think Members see themselves as having a role in ensuring good conduct and high standards on the part of others?



66% of the respondents think that Members see themselves as having a role in ensuring good conduct and high standards on the part of others.

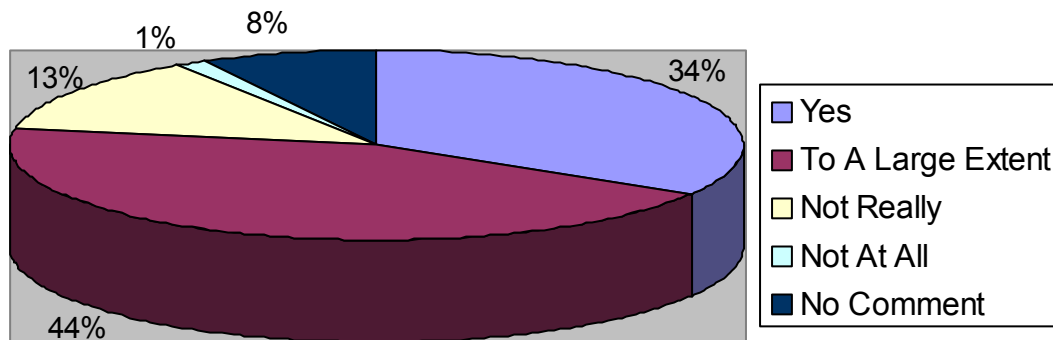
85% of Members responded positively to this question.

Question 12: Are Members clear as to their own role and accountabilities?



A generally positive response to this question, with 67% replying with 'Yes' or 'To A Large Extent', the next highest response was 'No Comment' which may have received such a response from those in the Council whom do not have contact with the Members and are therefore unable to confidently answer the question, in fact 86% of 'No Comment' replies come from Officers. This leaves 'No Comment' responses from just 3 Members.

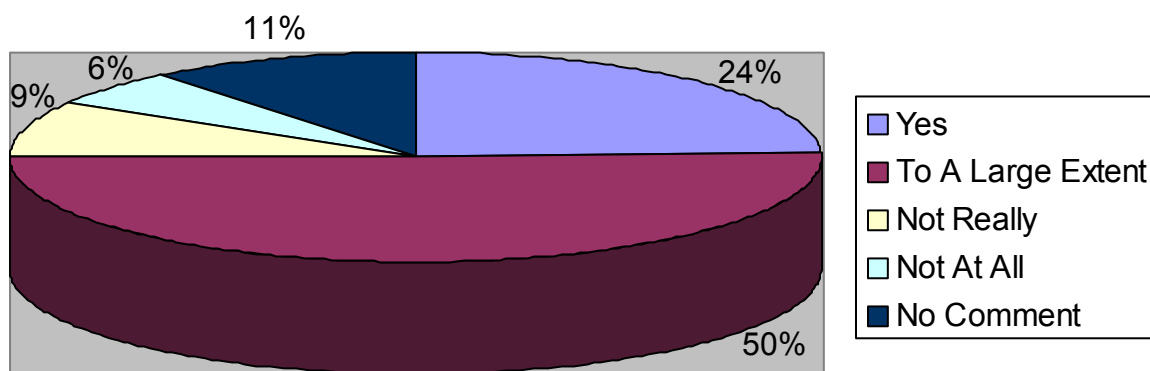
Question 13: Do you think Officers see themselves as having a role in ensuring good conduct and high standards on the part of others?



This question also received a very positive response, with only 14% supplying a negative response.

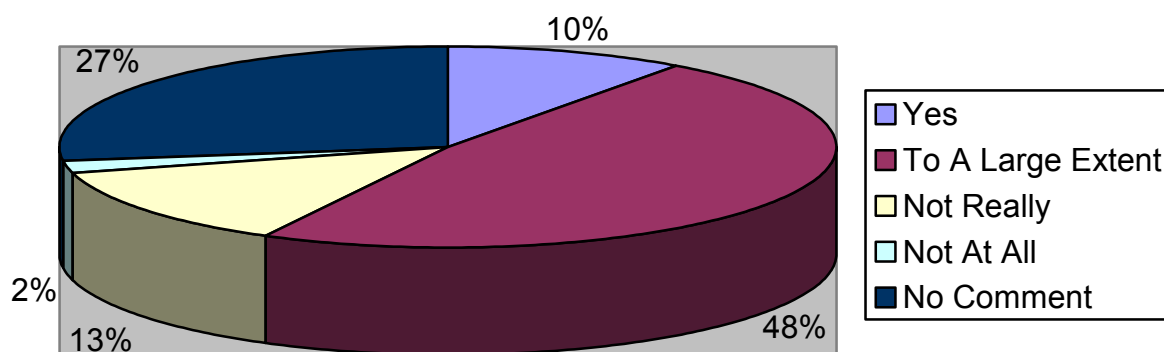
The spread of replies between Members and Officers is surprisingly even, for each category, there is between 16% and 19% of Members responses.

Question 14: Are Officers clear as to their own role and accountabilities?



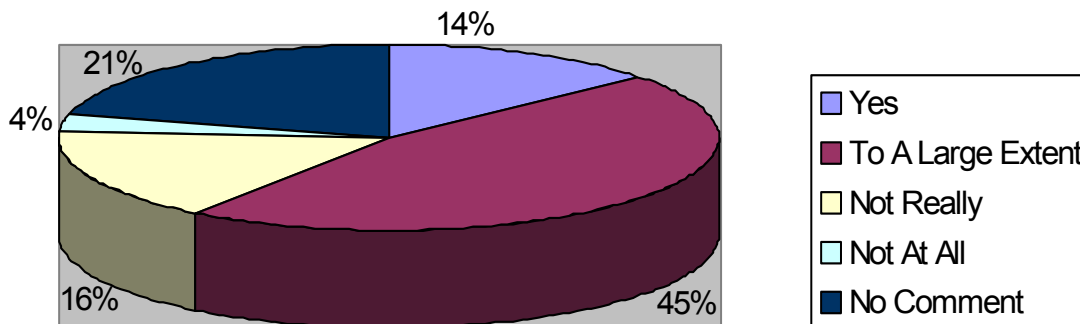
Again, this question received a very positive response, with 74% agreeing that Officers are clear as to their own role and responsibilities.

Question 15: In respect of ethical governance are the Council's practices and procedures relevant, up-to-date and clear?



Again there is a very large positive response for this question, however what is more noticeable is that there is also a very large percentage of 'No Comments'. This would indicate that a large percentage of the Councils Officers and Members are not familiar with the Council's practices and procedures regarding ethical governance. Although notably, only 12% of Members marked 'No Comment', whereas 31% of Officers chose to make 'No Comment' for this question, suggesting that it is primarily Officers that need to be made more aware of certain Council procedures and Practices. Alternatively this suggests that Members, and Officers in particular do not read the documents frequently enough to know if they have been updated, as far as the respondent knows, the documents are up to date and is again unable to commit to a leading response suggesting otherwise.

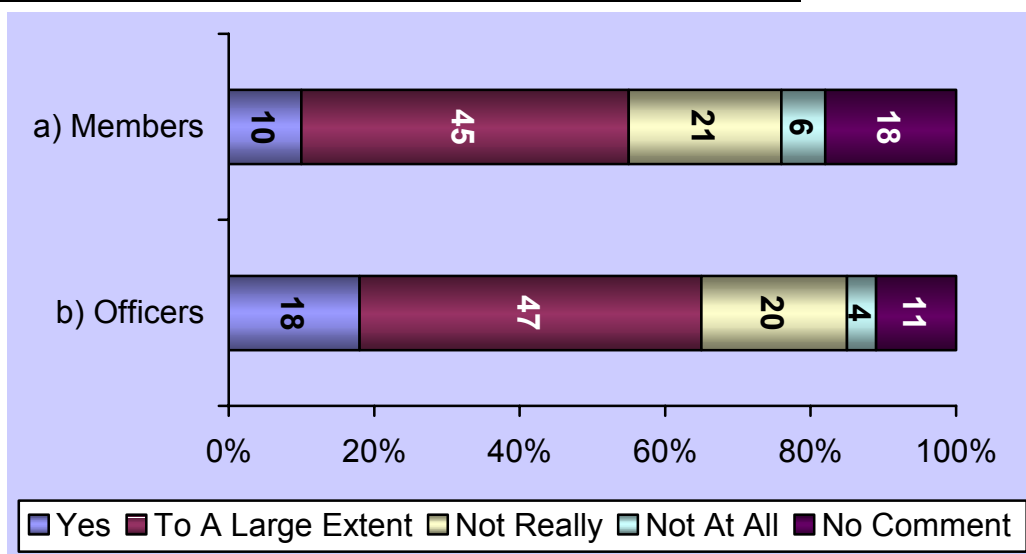
Question 16: Do you think the Council consistently follow such proper procedures?



Again in Question 16 there is a large positive response, very similar to Question 15, and again there appears to be a large amount of 'No Comments', which could be expected following Question 15. However it is a smaller percent of responses with 'No Comment' than Question 15, whereas common sense would suggest that those who were unable to comment for Question 15 should also be unable to comment for Question 16.

Of those who responded with 'No Comment' for Question 15 (38 in total), 9 chose to mark positive responses (24%) and 3 chose to mark negative responses (8%) for Question 16. This would suggest that the results to this question are not ultimately reliable, with some persons who indicated in Question 15 'No Comment' (and in the comments box for Q.15 added 'Don't know' on 20 occasions – 7 of which then responded to Q16) then replying to Question 16. At minimum this fact questions the validity of 5% of the response at a maximum it invalidates 9% of responses.

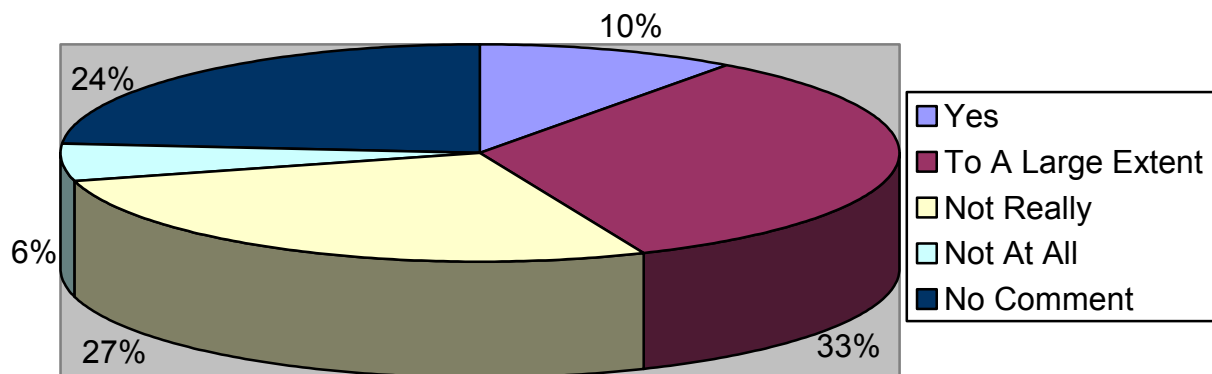
Question 17 & 18: Do you think Members/Officers have a common understanding on how to deal with conflict of interests?



The results to this question are fairly even. The only factor which distinguishes them is the amount of 'No Comments' given, had this number been the same, it may have been that the other categories would be even closer than they are. This 'No Comment' group comes primarily from the Officers responses, for a) only 2 of the 26 'No Comment' responses are from Members. This again reflects in the 'No Comment' category for part b) where there are 3 Member responses out of 15 'No Comments'.

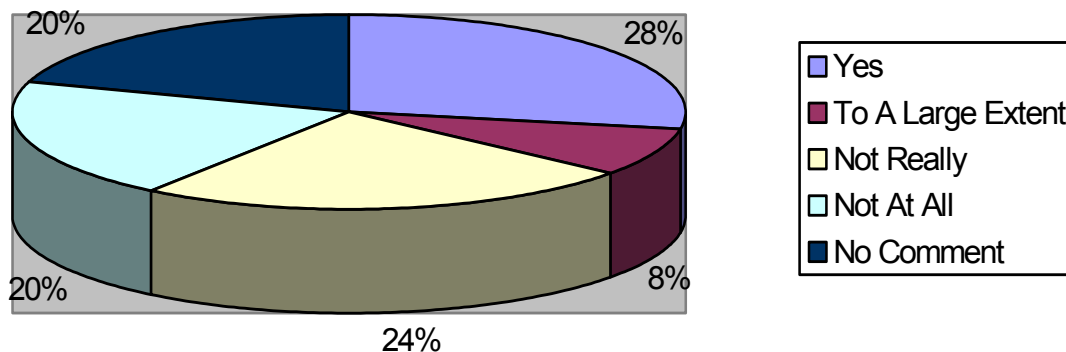
However despite the growing amounts of 'No Comments' that have been registered in the latter half of the Questionnaire, this is another positive response. Only 26% of respondents felt that Members do not have a common knowledge on how to deal with conflict interests, and only 24% felt the same for Officers.

Question 19: Are Standards issues perceived as jointly owned by Members and Officers generally?



As discussed earlier in Question 6c) and Question 8, because of the broad nature of this question there are very few definite answers (i.e. Yes or Not at All) and many No Comments, this accounts for the high volume of 'Not Really' and 'To A Large Extent'. The nature of the response to this question leaves it open to interpretation as to whether any weight can be placed on the above results. The question is phrased as a very general one and therefore suggests a more general reply, this means it becomes more difficult for respondents to confidently say 'Yes' or 'Not At All' and are left with the alternative of picking a answer out of two options, 'Not Really' and 'To a Large Extent', those who are not in the habit of missing questions or leaving them blank would have ticked one of these two boxes, the others would have made 'No Comment'.

Question 20: Do you know where (or from whom) you can obtain advice and support to help you on Standards issues? (Please specify who in the comments box)



Question 20 received a very even response as illustrated above; overall however it was a fairly negative response that again drew a large portion of 'No Comment' responses.

However, this may be misleading, despite the fact that 28 respondents made 'No Comment', 15 then proceeded to correctly name a source where assistance with Standards is available.

The chart below shows the answers given and which response accompanied it.

The Term 'Valid Answer' is not necessarily a correct one, there are certain 'right' answers for this question, and there are a few 'wrong' ones, but there are many answers given whom would be able to help to a certain extent. This explains why, in the chart below, that suggestions are validated with 'Yes', 'No' or 'To An Extent'. So as such, there is only 1 'wrong' answer, and this respondent offered three answers, the others being John Lawson and Chris Mathews, correct answers.

Where more than one answer is given, both answers have been marked, so this chart should not be used in comparison to the above pie chart which illustrates the percentage division between responses.

	Yes	To A Large Extent	Not Really	Not At All	No Comment	Valid Answer?
John Lawson	8	3	1		4	Yes
Chris Mathews	9	1		1	3	Yes
The Monitoring Officer	9				2	Yes
Bruce Claxton	1				1	Yes
Mike Fisher	2				2	Yes
Line Manager	2		2	1	4	Yes

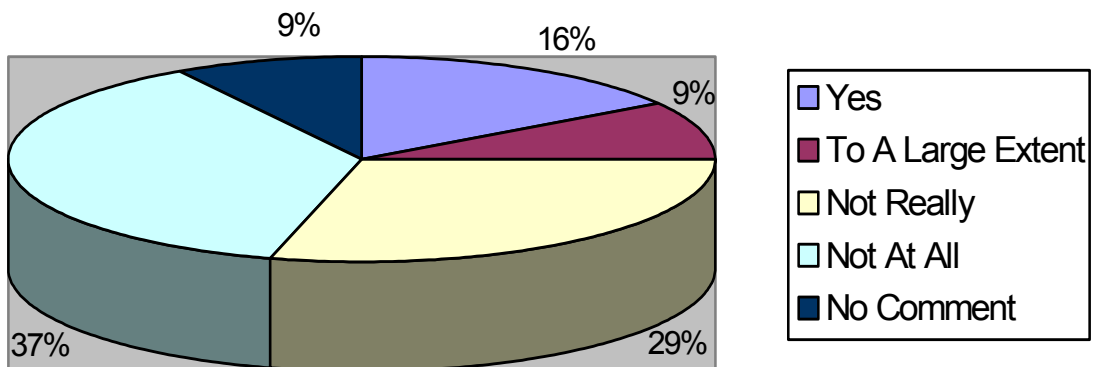
	Yes	To A Large Extent	Not Really	Not At All	No Comment	Valid Answer?
Bob Streets					1	To An Extent
Internal Audit Section		1	1			To An Extent
Ged Richardson	1					To An Extent
Parish Priest	1					No
Union	1					To An Extent
Corporate Policy Team	1					To An Extent
Paul Wilkinson	1					To An Extent
Glen Garrod	1					To An Extent

So we can see that the general impression of whom to contact is a correct one, even if those persons can only help to a certain extent, they are in the position to point in the right direction.

The majority of respondents as we can see believed that John Lawson and Chris Mathews are the correct people to contact, along with the Monitoring Officer (a position held by John Lawson, and Chris Mathews (Deputy)).

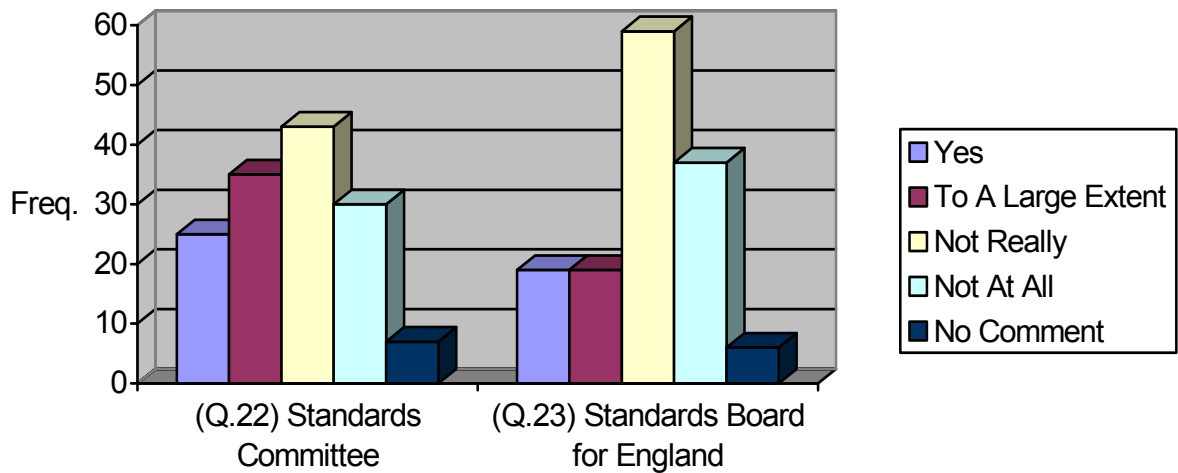
It appears clear that the majority of Members and Officers are satisfied that assumption can find somebody who can help or at least point them in the right direction.

Question 21: Have you had relevant training on issues relating to standards of conduct?



This question supplies the questionnaire with one of its biggest negative responses. A massive 66% do not feel that they have received relevant training on issues relating to standards of conduct.

Question 22/23: Do you understand the role of the Standards Committee/the Standards Board for England?

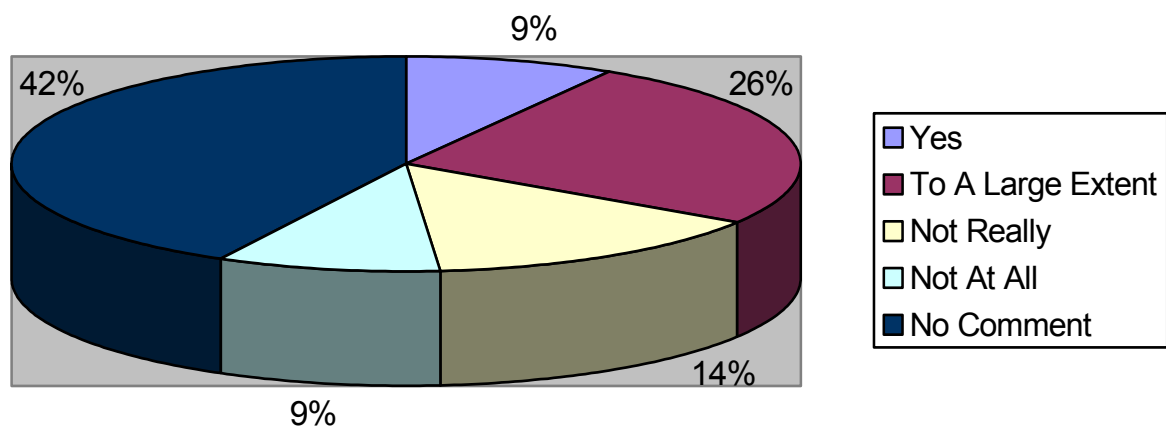


Neither organisation is truly appreciated for its full role and how it relates to the Council, but the Standards Committee does have a 29% more positive response, however the Standards Committee is an internal organisation and therefore it is expected that Members and Officers will have a better knowledge of its role.

With only 14% of respondents understanding the role of the Standards Board for England, Question 23 has a very negative response.

Question 24: Do you think that the Standards Committee and/or Standards Board work effectively in dealing with misconduct by members?

With hindsight, this question is also too broad, and should maybe have been split into two questions. That is whatever response is received we do not know whether the respondent is referring to the Standards Committee, the Standards Board, or both.



A massive 42% of respondents chose to make 'No Comment' for this question, which suggests that they were unable to answer the question due to a lack of

knowledge and experience in the matter. This is understandable, as those whom are not in direct contact with Members or the Standards Committee/Standards Board will have limited dealings with these matters. Although having said this, there were still 6 Members who chose not make any comments for this question, suggesting other reasons for doing so, such as not understanding the question, or maybe by accident missing the last page of the questionnaire, these are simply guesses however and there is no evidence to suggest why this question was ignored by so many, other than those reasons suggested.

Part 3.

This part of the evaluation deals with responses from the Public only.

As addressed in Part 1 of this evaluation, only 5 external Questionnaires were returned and hence little weight can be placed on the evidence that these responses produce. This amount of respondents becomes even harder to take any real results from as the Questionnaire progress, once we reach Question 13, the remaining 23 questions have only one or two persons responding, the remainder opting to make 'No Comment' (with the exception of Question 14d where only two respondents opt for 'No Comment'. Nonetheless, following is presented the information extracted from these 5 respondents:

	Yes	To A Large Extent	Not Really	Not At All	No Comment
5) Do you receive Clear information about the work of the Council which is relevant to you?		1	4		
6) Do you think there is any complacency about standards of conduct? a) Within Members?	3	2			
b) Within Officers?	1	4			
7) Do you think Members see themselves as having a role in ensuring good conduct and high standards on the part of others?		2	3		
8) Do you think Officers see themselves as having a role in ensuring good conduct and high standards on the part of others?		2	3		

	Yes	To A Large Extent	Not Really	Not At All	No Comment
9) Does the Council consistently follow such proper procedures?			5		
10) Do you think Members have a common understanding on how to deal with conflict of interests?			4	1	
11) Do you think Officers have a common understanding on how to deal with conflict of interests?		2	3		
12) Do you know where (or from whom) you can obtain advice and support to help you on Standards issues? (please specify who in the comments box)			3	2	
13) Are you aware of and have a broad understanding of the following documents?		1		1	3
a) Standing Orders		1		1	3
b) Scheme of Delegation		1		1	3
c) National Code of Local Government Conduct for Members		1		1	3
d) Officer/Member Protocol		1		1	3
e) Financial Regulations		1		1	3
f) Contract Standing Orders		1		1	3
g) Special Procedures and Protocols		1		1	3
14a) Do you know where you can put your hands on the above documents?		1		1	3
14b) Are you aware of any significant ambiguities or omissions in these documents?				1	4

	Yes	To A Large Extent	Not Really	Not At All	No Comment
14c) Do any of these documents provide you with a mechanism for improving the documents?		1			4
14d) Are you satisfied with the present procedures leading to the selection and appointment of Officers?			2	1	2
15) Do you have a reasonable understanding of the role of the following statutory officers? a) Head of Paid Service		1	1		3
15 b) Monitoring Officer		1	1		3
15 c) Chief Finance Officer		2			3
16) Do you have a good understanding of the processes for the conduct of local authority business?			2		3
17) Are Members clear as to their own role and accountabilities?			2		3
18) Are Officers clear as to their own role and accountabilities?		1	1		3
19) In respect of ethical governance are the Council's practices and procedures, relevant, up to date and clear?			2		3
20) Are Standards issues perceived as jointly owned by Members and Officers generally?			1		4
21) Have you had relevant training on issues relating to standards of conduct?	1			1	3
22) Do you understand the Role of the Standards Committee?	1	1			3

	Yes	To A Large Extent	Not Really	Not At All	No Comment
23) Do you understand the role of the Standards Board for England?	1	1			3
24) Do you think that the Standards Committee and/or Standards Board work effectively in dealing with misconduct by Members?			1	1	3

Despite the large amount of 'No Comment' responses, the respondents did wish to make some other comments:

- How can they be when the Independent Councillors joined the Lib Dems after the election! (Response to Question 3, Do you believe standards of ethical conduct in this authority are high?)
- I'm concerned that the Council carries out surveys of public opinion, only to ignore them. The most recent example is the £40,000 cut in Countryside section, which was at the top of the agenda in the Island Voices consultation. (General Comments Section)
- I totally lost faith in the Council after the way Independent and Lib Dem Councillors deceived us during the elections, they effectively lied! What ethics? What standards? (General Comments Section)
- Too many people come from within the local government "industry". Why not recruit from industry and the private sector? (Response to Question 14d) Are you satisfied with the present procedures leading to the selection and appointment of Officers?)
- Too many cronies! (Response to Question 14d) Are you satisfied with the present procedures leading to the selection and appointment of Officers?)

Unfortunately with the limited response received it would be inefficient to take the public results as public opinion. Although from these five responses we do seem to have received a negative response, suggesting that Council standards are not viewed in the most positive of ways. However, as discussed earlier, these 5 respondents may be regarded as 'fluke' responses, as they are too minimal to portray a definite public opinion.

We must also consider what initially inspired these 5 respondents to answer the Questionnaire. It is quite possible that these 5 respondents saw the opportunity when 'browsing' the Isle of Wight Council Website to give the Council some feedback and decided to do so out of good will. It is also possible that these persons

were looking for a means of contact on the website and decided that the Questionnaire would be an effective method of conveying their opinions about the way in which the council is run. That is not to say that this is the wrong reason to fill in a Questionnaire, one persons opinion holds as much credit as the next.

It remains though that with out offering some incentive, i.e.: prize draw etc. (which was not offered in this case) it will always be difficult to get a large amount of responses. Generally speaking, only persons who feel that they have something to gain will take the time to fill in the form. For example, if Person A is made aware of the questionnaire on the website, he may not decide to fill it in, it would cost time and effort, and they have nothing to gain. Person B however has had recent affairs with the Council, with which the result was a negative one, once this person has been made aware of the Questionnaire he or she are more likely to respond to it, as an opportunity to express his/her distress at the outcome of their recent affair. There is no evidence to support this, as is the nature of the public questionnaire that unfortunately there is little evidence to support anything, but especially with the high volume of 'No Comment' responses it suggests that the respondents logged on to the Questionnaire to make the comments that are listed on the previous page and then filled in the rest of the Questionnaire though they had already made their point.

Conclusion

Unfortunately due to the sheer lack of responses from members of the public, little conclusion can be gained from that part of the Questionnaire, so the conclusion will mostly be focusing on the results of the internal respondents.

Overall there was a fairly positive response to the Questionnaire from Members and Officers.

Strongly positive responses throughout the Questionnaire and in particular in Questions 9, and 4(a&b) illustrate a successful response to this Questionnaire, not only are the majority of respondents satisfied with the information provided but they are satisfied that they receive all the information that they need relative to their jobs. In opposition to this it is clear from Question 5 that Members and Officers do not have complete knowledge of all documents, however, these documents are not necessarily relevant to the respondents position within the Council, (and not to forget that several of these respondents may have only been employed for a short period prior to the Questionnaire being sent out, but due to the anonymous nature of the Questionnaire this is unknown - but possible). As illustrated in the results for Question 9 (Do you receive clear information about the work of the Council which is relevant to you?) where there is a much more positive response and 79% of actual responses were positive ones. Question 4a&b) questions the access to information, and the majority of respondents are happy that the degree of accessibility is satisfactory. So from the results of Questions regarding access to information, it appears that the Council has done/is doing a satisfactory job.

Is the job done to a good ethical standard though? Well, questions 15 and 16 illustrate that Members and Officers agree that the Council's ethical procedures and practices are up-to-date and consistently followed, in Question 15, excluding the

non-responses, or 'No Comments' 70% of respondents replied positively that the Council's procedures and practices are up-to-date and clear, this was followed by Question 16 which resulted with the fact that (again excluding non-responses) 76% of respondents are satisfied that the Council consistently follows these procedures. This can also be interpreted as a negative response, that is, if 76% of respondents are satisfied with ethical standards, this tells us that 24% are not, and positive response or not this certainly leaves plenty of room for improvement.

However, negative responses in Questions 21, 24 suggest not only that there is room for improvement, but also that it is necessary. In Question 21, 66% of respondents suggest that they have not received relevant training as far as ethical conduct is perceived. This is further enforced by Question 24, in which 23% do not feel that the Standards Committee or the Standards Board for England work effectively in dealing with misconduct by members. Though due to extreme numbers of 'No Comments' this actually works out at 41% of responses.

Overall this Questionnaire has given the Council a generally positive response and a strong base to work from. We have seen that the respondents are satisfied with access to information and that they are satisfied they can find help if they need it, but we have also seen that more training needs to be enforced on the subject of standards. Once a degree of training and awareness has been achieved among Officers and Members the measurement of further matters, procedures regarding standards etc, will increase, as more respondents are able to confidently answer the questions. If a person is not fully informed on a subject then the chances are that the results of the individual's questionnaire are going to appear negative.

This audit has given the Council the opportunity to find out how to best improve itself internally, not just how to make the public perception of the Council better by manner of public relations exercise. It has also given the Council better ability to build on the format of its correspondence with the public, and as a result of which to regulate how Standards within the Council are improving or not in a monitored fashion.

PHASE 3 – QUALITATIVE RESEARCH

1. This part of the report comprises the final phase of the Ethical Audit, reflecting the comments of a number of interviewees invited to discuss the interim conclusion of the first two stages of the audit that:
 - Although capable of improvement, the ethical framework of the Isle of Wight Council is generally sound.
 - That standards of adherence to that framework are generally relatively high, although there is no room for complacency.
 - However, public perception of ethical standards lags worryingly and significantly behind actual standards.
2. Interviewees were also asked for their views as to how the situation could be improved, in the event that they accepted and agreed with the starting premise.
3. A number of key issues arose.

Personal Misconduct by Elected Members Can Taint the Reputation of the Council

4. A very small minority of elected members had, in the eyes of interviewees, for example through alcohol misuse or through seeking to misuse their position, fallen below the standards expected of elected members.
5. Views were divided as to whether or not such lapses tainted the reputation of other members and the Council as a whole.

Suggested Action

- 5.1 Where elected members, officers of the Council, contractors and other partners, or members of the public perceive personal misconduct they should, and should feel able to, challenge that behaviour directly with the perceived perpetrator without fear of reprisal. If a challenge is not possible or does not achieve an improvement in behaviour there should be confidence in reporting mechanisms to the Monitoring Officer, Group Leaders, the Chief Executive Officer or the Standards Board, again in confidence that appropriate action will resolve and without fear of reprisal.
- 5.2 In order to achieve the required level of confidence the Standards Committee, the Chief Executive Officer, the Head of Human Resources, the Monitoring Officer and those managing contracts should, firstly, review the adequacy of the current Confidential Reporting Code and take steps to raise the profile of both the Confidential Reporting Code and the Code of Members Conduct insofar as relates to personal conduct.

- 5.3 Personal misconduct by employees of the Council did not appear to be a significant concern. Nevertheless, the Head of Human Resources should use the proposed national model Code of Conduct for Local Authority Employees as an opportunity to emphasise, in the published code of conduct, that conduct outside of the workplace can amount to a breach of an employee's contract of employment.

Performance is an Ethical Issue: Accountability of Officers

6. The Council spends public funds and there is a strong feeling that poor performance is unethical. The accountability of elected members is discussed elsewhere but an intractable issue is identified under this heading. There is a clearly articulated and genuinely held belief among some of the interviewees that accountability of employees, including relatively junior employees, is insufficient. This is the case not just in terms of probity and conduct but also in terms of collective and individual performance.
7. There seems to be a view among some members of the public that there should be greater access to information about capability and conduct procedures when something goes wrong within the Local Authority. Some elected members are reported as wishing to see a greater role for themselves in such circumstances.
8. Perhaps the biggest single problem for the Council in responding to this challenge is that the appetite for greater public and/or member engagement with capability and conduct procedures would, if followed, bring the Local Authority into conflict with the law and good practice relating to employee/employer relations.
9. The challenge for the Local Authority is, therefore, significantly to explain and educate stakeholders and interested parties that accountability of individual employees, to be compatible with good employee relations and with the law, cannot involve the public, press or elected members in individual cases to any greater extent than is currently the case.
10. The role (and credibility) of external assessment and inspection must also be addressed as this is a means by which tax payers, service users and other stakeholders can be involved (and informed about) assessment of performance. Part of the phenomenon of distrust of officer accountability may be that, whilst accepting that individuals have a right to confidentiality, interested parties believe that low standards are applied by this Council as an employer and that conduct is excused which would not be allowed elsewhere.
11. Some description of performance related pay did take place during interviews but is probably beyond the scope of this audit

Suggested Actions

- 11.1 The Council should consider revising its capability proceedings to include a provision for "gross incapability" where the relationship of trust and confidence

between employer and employee has broken down, as a result of a single catastrophic failure or as a result of a sequence of cumulative failures.

- 11.2 A statement similar to that in the Disciplinary Code which sets out a non exhaustive list of examples of performance which is likely to be regarded as grounds for (a) capability proceedings and (b) as gross incapability.
- 11.3 Any revisions should be given wide publicity to staff and to the public and be reflected in training in managing performance to establish shared and consistent standards across the Council.
- 11.4 The Council may also wish to consider adopting one or more performance indicators showing incidents of competent or misconduct resulting in formal proceedings and/or sanctions being imposed. This would have to be on the basis that individual confidentiality was not compromised but that interested parties could form a view as to how this Authority compared, over time, and with other like employers (assuming benchmark can be set).
- 11.5 There is a danger that performance is viewed solely in terms of remedial action when things go wrong. The criticism made by interviewees also reveals a perception of poor flows of information about performance. Senior officers are accountable to elected members for their performance through service planning and performance management reports. Engagement with the media extends that accountability. This report does not recommend establishing further systems, for example for the general public to become more involved in the accountability of officers. It is, however, suggested that senior officers of the Council should take advantage of the opportunity created by, for example, meetings of Parish and Town Councils to attend and answer questions about performance of the Isle of Wight Council where that impacts on those local authorities. The extent to which community forums, in non-parished areas, creates a similar opportunity should also be considered.
- 11.6 Finally, particularly given imminent changes in the law, although it is likely that controversial cases will always arise there is a need for a clear statement of member's rights to access information, to access documents and for clarity in who determines difficult cases. The Authority will also wish to consider whether there should be a right of appeal against decisions to refuse members access to information.

Performance is an Ethical Issue: Accountability of Elected Members

12. The general feeling of interviewees is that elected members have a welcome willingness to be held accountable to the media and in public both at Isle of Wight Council meetings and elsewhere.
13. Interviewees were, however, sceptical about how well that willingness translated itself into productive engagement with the media and, significantly, into a perception that members were listening and taking into account the views of the public, as well as advocate or explain a preferred course of action.

14. This is partly about recognising that individuals have different strengths and preferences and building upon them.
15. Some members are recognised as being fluid and confident in some or all of; public meetings, formal debating chambers, media interviews or in writing. Some members are less confident due to their natural inclination and ability.
16. The Council was urged by interviewees to embrace all forms of communication and to train its members (and officers) to understand how communication in different forms, and through different media, works.
17. The benefits of simple, clear and consistent messages were emphasised.
18. Some interviewees praised opposition members for their accountability. This is an interesting perspective as accountability is usually associated with those who set and deliver policy or are responsible for services. There is a challenge to members both within and without the administration to identify in what capacity and for what purpose they are communicating with press and public.
19. A trenchant criticism was made by interviewees who believe that there is a perception that decisions were made either on a whim or (worse) for local, personal or other vested interests. Interviewees emphasised the need for decisions to be supported by simple and comprehensible reasons which were well publicised.

Suggested Actions

- 19.1 Media spin has been discredited in recent years and the Council will be rightly wary of being seen to attempt to control the media and public agenda. There is clearly a role, however, for a strategy within the Council to identify key issues (including those with potential for controversy) and to ensure that well briefed members, who are comfortable with the role, are available at various times and in various forums (including written broadcast and electronic media) to be publicly held to account for decision making and performance. The significance of Town and Parish Councils in this arena should not be underestimated.
- 19.2 Support to elected members should not be limited to those who take decisions and the role of overview and scrutiny and opposition members should be given proportionate weight.
- 19.3 The Head of Policy and Communications should revisit the effectiveness of the current media strategy and consider a wider accountability strategy aiming to use avenues other than traditional media outlet to identify and explain significant policy and performance issues.

Conflicts of Interest – Declarations

20. Interviewees generally believed that the spirit and principles of the rules requiring members and officers to declare interests were well known and generally followed. There is, however, a need to refine practice and make sure that the letter of the requirements is also followed.

Suggested Action

- 20.1 It is suggested that decision making meetings with members (particularly the Executive and Development Control Committee) receive a timely and focused reminder of the detailed requirements to declare personal and prejudicial interests - particularly the requirement to make clear the nature of the interest.
- 20.2 In parallel the Head of Human Resources should use the implementation of a national code of conduct to, in consultation with the Monitoring Officer, ensure that arrangements in relation to officer registering and declaration of interests are sufficiently robust and well known.

Expectation on Members: The Personal Burden

21. That the expectations on those who assume public office should not take too great a toll on them, and their families, is clearly an ethical issue.
22. A number of interviewees expressed some concern that, particularly under Executive arrangements, a tremendous burden was placed on members. The concern seemed particularly focused on those responsible for overview and scrutiny, although this may have been because no Executive member was interviewed.
23. Traditionally a support for members has been through political groups and the concern expressed by interviewees suggests this is no longer sufficient.
24. Whereas training, particularly through a structured programme of member development, is now part of the landscape there is a need to review the arrangements to support members through technology, and personal support, to ensure that the burden upon them does not become too great.
25. The Council should, with its elected members, consider how to address two sets of expectations:

Suggested Actions

26. Firstly, members are seen, and are rightly so, as a valuable way of communicating with the Council. The need is to ensure that those members of the public who choose to access the Council via their elected members do so in a way which delivers a consistent experience which does not vary substantially from the experience of members of the public who choose other means of accessing the Council and its services.

- 26.1 Further, the experience of a member of the public choosing to contact the Council in this way should not vary substantially according to the time commitment, preferences and availability of the local member who happens to represent them. It is suggested that the Standards Committee and/or the Resources Select Committee may wish to assist in this line of inquiry by exploring how the principles underpinning the Great Access to Great Services agenda can be applied to public engagement with the Council through elected members.
- 26.2 Secondly, it is clear that some members are worried by, and feel under pressure as a result of, the burdens of scrutiny. Interviewees expressed this in different ways, including referring to the feeling of disempowerment, of distance from decisions and of a sense of burden being borne by the Select Committees.
- 26.3 The Isle of Wight Council employs 3,500 staff, a turnover in excess of £250 million and it delivers an incredibly complicated array of services in pursuit of numerous policy objectives set locally, regionally and nationally.
- 26.4 It is suggested that overview and scrutiny cannot be seen as the only source of accountability. It is simply too scarce a resource to deliver scrutiny at a performance management and operational level across the entire Council, but is seen by some interviewees at least as bearing just such a burden. The Local Authority should, therefore, as part of its statement of internal control, produce a simple (perhaps graphical) explanation of the many complementary (and sometimes overlapping) internal and external arrangements for monitoring, inspecting and reporting upon performance management and accountability for performance. This may form part of any accountability strategy developed in the light of recommendations set out above.
- 26.5 Steps need to be taken to improve the focus of, and confidence in, Select Committees as a forum for accountability and a tool in improving performance. One such step could be inviting more junior “front line” staff to assist the Select Committees in setting their work programme, in scoping and delivering reviews.

Expectations – A Personal Toll on Officers

27. Some interviewees spoke fluently and forcefully about the effect which public service can have on senior officers. This is particularly the case when abrasive criticism is made in public and through the press. Some of that criticism is out of the control of the Council. The Head of Human Resources should, therefore, consider whether current arrangements to support, and protect, staff subject to public criticism, particularly where it is believed to be unfair or vexatious, are sufficient.
28. National experience shows that elected members in some authorities struggle to know how to articulate legitimate criticism without falling foul of the provisions of the Code of Conduct which require respect to be shown to employees of their Council.

Suggested Actions

29. It is suggested that the Standards Committee adopts local guidelines to assist members (and to assist officers in knowing what to expect). This work should be undertaken in time to assist new and returning members of the Council after the May 2005 elections.

Standards Committee – Future Role

30. The Standards Committee will continue to play a vital role in driving up standards of ethics and probity. In anticipation of this report, Full Council has already expanded the terms of reference of the Committee to ensure it is able to look at issues of concern to it, rather than to wait for a reference from the Council, or the Monitoring Officer. This is a subtle change which will reinforce the value of the role played, and to be played, by the Standards Committee.

Suggested Actions

31. The Standards Committee will wish, when it is reconstituted after the Local Elections in May 2005, to set a work programme for the next two years which will ensure that standards, ethics and probity keep a high profile and are demonstrably improving.

STANDARDS COMMITTEE – ETHICAL AUDIT

**INTERVIEW No.1 – TRADES UNION REPRESENTATIVE
CONDUCTED BY BRUCE CLAXTON, GEORGE HIBBERD AND JOHN LAWSON**

JL/BC introduced the session. BC explained the context of the interview. JL set out the ground rules which are that interviews were liable to be called on and quoted in the report. Interviewees were therefore to receive a draft copy so that they could comment on the way their views had been represented. Equally, if any comments needed to be marked confidential and not for reproduction, then interviewees were free to make that distinction.

Invited to comment on his view of perception of ethical standards A commented that a perception of the Council is poor in his view and it is not surprising that it has deteriorated. This is possibly due to local government reorganisation. A's impression is that most staff work diligently and conscientiously and with, by and large, a good ethical approach.

A understands some Members act regrettably, particularly pressurising officers, probably due to pressure on themselves from constituents. There is some blurring of boundaries between officers and Members.

A perceives dissatisfaction arising from the size of the Council Tax among members of the public; among staff there is initiativeitis and too much planning and monitoring and not enough delivery. This is a national burden.

Asked about a knowledge of ethical framework, A commented not everyone reads all information, including information on ethics, there is an information overload, but he believes there is adherence to the spirit of ethical arrangements.

GH asked whether press reports could account for the disparity between perception and reality. A believed this could be the case to some extent but the cause is also what is not known about the Council's work, for example when set against what is known about the Council Tax level. Many staff get fed up with reading bad reports in the paper.

A commented that staff perception of Councillors varies, not least according to their place in and seniority in the Council.

Asked about personal conduct, A believed some Members were seen as experienced and sensible and doesn't see a view that corruption is rife although there is some scepticism/cynicism about Elected Members. A believes probably the most frequent complaint about Councillors is that they "swan in and take amateurs decisions and there is some resentment of this". Since the adoption of an Executive model Councillors complain that decision-making is remote and that staff may also see this.

JL asked whether Councillors understand their roles. A replied that historically too many Councillors too much involved in operational issues, this resulted in an awful lot of medalling. Strenuous attempts have been made to get away from that and get Councillors to concentrate on strategic issues. There are some areas in the Council where more needs to be done to deliver on this good intention. It is not a view that Members often go over the boundary into bullying, it is more subtle than that, strong and better protocols can assist.

GH asked whether Councillors are sufficiently supportive of paid staff. A said that in the past, particularly, some Members have said things differently in public than in private. By and large they are reasonably supportive - it does depend on the state in the electoral cycle.

JL asked whether the balance is right between public accountability and looking after staff. A replied if it is array it is not far wrong. Unison are generally happy with current arrangements with the reporting/publicity of discipline, grievances etc, all of which should be confidential.

BC asked whether the Executive model is to blame for poor perceptions of non-ethical conduct.

A replied that the model could be very effective but not sure how many Members are equipped to scrutinise its hard work when not taking decisions. A does believe that Councillors feel less empowered.

A commented that democratic disengagement is a phenomenon and the IF group may have contributed to this. There is evidence of cynicism about this particular Council in the letters page of the County Press and that is reflected in staff views, especially when compared to the old County Council.

A believes the perception of the public is a bit unfair as most Councillors are public spirited and give up a lot of time to fulfil the role (as do many officers) and there is a lot more good practice around than the public gives us credit for.

Asked what could be done better A replied that we have lots of policies/protocols, there is need for more awareness and training - especially in the letting of contracts (this being a comment on officers); better publicity for policies would also help.

Asked if A had a criticism, he replied that where there is attack on an employee there should be a system of rebuttal where it is unfair or unfounded. Certainly staff are vulnerable to a vexatious complaints and need to be protected in an environment where they exist.

STANDARDS COMMITTEE – ETHICAL AUDIT

INTERVIEW No.2 REPRESENTATIVE OF FAITH COMMUNITY CONDUCTED BY BRUCE CLAXTON, GEORGE HIBBERD AND JOHN LAWSON

JL/BC introduced the session. BC explained the context of the interview. JL set out the ground rules which are that interviews were liable to be called on and quoted in the report. Interviewees were therefore to receive a draft copy so that they could comment on the way their views had been represented. Equally, if any comments needed to be marked confidential and not for reproduction, then interviewees were free to make that distinction.

B opened by commenting that public perception is a major problem and agreeing that perception is worse than reality.

The Council was not alone and there was a general discussion of the problems of self-appointed activists dominating consultation for all public bodies. Public bodies did not always help themselves.

B believed part of the problem with perception of the Isle of Wight Council is that there are far too many Councillors. The positive side was that very visible and accessible Councillors can be an asset. From the Leader through to Members of staff it is a positive that people are accessible. This does come at a price however as they become easy targets for whingers. A further example of this was the customer services area where the layout and the approach of the staff was very open, for example not being behind screens. This is important as the stakes are high in relation to public perception.

GH asked about the beliefs that there are too many Councillors. B gave in evidence behaviour in the Council Chamber which at times fills him with gloom. There is obvious electioneering, sometimes boorish behaviour to the extent that he felt sorry for Council Officers who had to work with this.

B believes it is better to have a small number of full-time remunerated, higher calibre members with a spread of gender and background, hopefully with some younger members.

JL asked about “bad individual behaviour”; was this a minority trait and if so did it taint Members of the organisation?

B believes there was a distinction between Members and employees. The Island is served by extremely high calibre public servants and there shouldn't be attempts to rubbish “the Council” when this is actually directed at individuals. Successive Chief Executives have been of high calibre, courteous, welcoming, even if B did not always agree with them on everything. This is replicated throughout the organisation, for example those who run the market are doing a difficult job and doing so shrewdly and politely.

B argued that, on the other hand, Councillors have a serious problem even allowing for the caveat that no-one likes politicians. Whether they like it or not some Members give an appearance of being venal. It is maybe unfair, but it is true that there is absolutely no affection for them. As some Members do get things done, a lot of criticism is unfair but such members are not helped by those who are on “permanent transmit mode”. A number of Elected Members come across, for example at public meetings, as having an ‘I know best’ attitude and definitely having an appearance of not listening.

BC asked whether back benchers display these characteristics as well as Portfolio Holders. B answered that they have their own axe to grind and this is about individual characteristics (some Portfolio Holders being good listeners and accessible) and equally some back benchers not being so. Generally B believes those Members who are prepared to appear vulnerable do gain admiration. He repeated perception is all.

B acknowledges that the Council – especially the LEA – is under attack from Whitehall.

Asked what could be done to improve matters, B answered that the critical thing is to make distinctions. The Council is not an amorphous heap. One thing that can be done is where individuals who are doing the work, for example road sweepers, they can provide a positive experience.

GH asked how clearly the distinction between officers and Members is known and appreciated.

B answered not much, even though the distinction should be clear. He hoped that initiatives such as Great Access to Great Services and customer relationship management should improve matters. B added one problem he wished to raise was concern for senior staff. He worries how they keep their integrity when their work is sniped at, rubbished and they have to deal with some Elected Members. There are a number of officers who do not feel particularly valued by Councillors and by the public. B disagreed with the suggestion that this was due to Council Tax being high. The problem is more that expectations are astonishingly high and undeliverable. This is true of the NHS and of the Council – people are very and increasingly demanding. This is true to the extent that B has asked the question whether IWC has a future or whether it is too small.

Asked what the Council or individual Councillors can do, B replied accessibility is still a strength and can be built on. There needs to be a flow of information both ways through surgeries, public meetings and other forums. Councillors should take the opportunity to demonstrate their humility and to be innovative in engaging with the public (a good example from the past was Steve Ross who advertised his trips on the ferry as an opportunity for individuals to speak to him over a drink).

B added that Councillors should find many, many ways, including new methods, to explain the decisions they were taking. They should be prepared to take risks to explain what they were doing and why and to make sure that in doing so they

received information as well. The County Press, in B's view, can be amazingly poisonous and dances to a very strange tune. The Council should use other print media, including Wight Insight and The Beacon to put messages across.

JL asked whether there is a question about challenging high expectations.

B answered, there is and a way to do it would be to remind some people about how fortunate we are – to remind and educate them. He believes the credibility gap could be addressed through children and young people and encouraged Members and the Council to challenge young people, for example in middle schools, to get an understanding of community organisation and living together to encourage children to be less selfish in their world view. There is merit in counting your blessings as an Islander – to reinforce the quality of the environment, the people and the community in affirming what we have. B wishes the Council could influence people not to fixate on problems and difficulties as to do so feeds on itself and is debilitating.

In conclusion, B repeated his concern about senior staff, particularly in a context where there is a reducing amount of pastoral care. Staff have pressure on resources and time and there is a move to process driven HR, not old fashioned personnel care. He would like to see an increasing member role in pastoral care for senior staff.

On an unrelated issue, generally party politics bedevils local politics and must be challenged. There is, for example, real bitterness about the Island First Group encouraged by the language of their opponents. For example using words like toady.

Returning to the ethical theme, B closed by saying in 25 years he had never heard a serious suggestion of a local authority officer who was corrupt.

STANDARDS COMMITTEE – ETHICAL AUDIT

INTERVIEW No. 3 MEMBER OF STAFF CONDUCTED BY BRUCE CLAXTON, GEORGE HIBBERD AND JOHN LAWSON

JL/BC introduced the session. BC explained the context of the interview. JL set out the ground rules which are that interviews were liable to be called on and quoted in the report. Interviewees were therefore to receive a draft copy so that they could comment on the way their views had been represented. Equally, if any comments needed to be marked confidential and not for reproduction, then interviewees were free to make that distinction.

C explained she is a Social Worker and had been since 1985, currently working in the Fostering and Adoption Team on a part-time basis. She is also a foster carer, a member of the public and Island born and bred. She is very aware of the potential for, and need to treat carefully, conflicts of interest.

C has a personal opinion that some Members overstep the mark in gathering information and knowledge which can be abused. There are examples from her own area of work of Members trying to see files relating to their own family.

As C understands the 2000 Act powers she believes they are for the good. There is less, than historically, of service users getting preferential treatment as a result of Members being ignorant of, or wilfully ignoring, boundaries. This Council is better than other places in dealing with bullying type behaviour – Social Services in particular having a good record.

GH asked whether this is because of Social Services' professionalism or because of a wider sense of public service?

C believes it is a question of good training and good management.

C believes that among Members bad apples do taint the others.

C raised an issue of concern to her which is that reports in the press sometimes make it seem as if decisions are based on a whim. There is a need to be clearer in explaining decisions.

C raised another concern which is of a perception of attendance allowance culture and of Members getting a lot for a little.

C believed Portfolio Holders needed to get to grips with issues and that they sometimes were spread too thinly. As a consequence there was not enough focus on outcomes in performance, much less in relation to standards.

C further commented that accountability in her area of practice is practically impossible. The task is to manage risk and things will inevitably sometimes go awry in ways that cannot be explained to the public. There is some inevitability therefore of poor perception.

Asked about experiences of Councillors being supportive, or otherwise, C had relatively little recent experience but could recall examples of Councillors going over the heads of staff to managers to try and change decisions. However, generally the workplace is now more supportive in preventing this.

Members' actions do, however, affect staff. For example, current decisions in relation to parking. This affects morale. There is also an understanding, and lots of frank discussion where Members do understand the resource implications of, say, the Climbie Inquiry; these are positive illustrations of the complexity of member/officer relations. In C's area of professional practice performance is truly an ethical issue.

Building on the idea that performance is an ethical issue, C commented that the Council sometimes misses a trick in using resources which are being spent to lever a delivery of higher standards (an example of this is in the area of direct payments).

GH asked what is the role of Members in instances where staff see there are professional/resource failings?

C wished Members could look behind the service issues to ask what are the real issues, how can we know standards are being adhered to and what are they able to do about particular problems. It is about selecting issues and prioritising them in order to challenge assumption. To C this enables accountability to members by officers.

BC asked what can be done to improve standards. C summarised that Members should be willing to take real decisions – that is not to do some things. Decisions should be taken and questions asked at the right level where possible having objectives to simplify and short cut procedures.

Members need to have the ability to take informed risks designed to achieve service improvement and to have courage.

C suggested that the Select Committees may wish to ask practitioners, such as Social Workers, what issues were of concern to them in deciding what to add to their own work programmes. C has no new issues she wished to raise in closing.

STANDARDS COMMITTEE – ETHICAL AUDIT

INTERVIEW No. 4 ISLE OF WIGHT COUNCILLOR CONDUCTED BY BRUCE CLAXTON AND JOHN LAWSON

JL/BC introduced the session. BC explained the context of the interview. JL set out the ground rules which are that interviews were liable to be called on and quoted in the report. Interviewees were therefore to receive a draft copy so that they could comment on the way their views had been represented. Equally, if any comments needed to be marked confidential and not for reproduction, then interviewees were free to make that distinction.

BC put the proposition that perception of ethical standards is worse than reality.

D responded yes and no. Absolutely is the case that perception is poor but there are areas of poor conduct and poor professional standards. This has been so for many years and has rolled on.

BC asked for instances old and current.

D responded by asking what is the role of members? In issues with an ethical element, especially if a Member wishes to question professionalism of advice given to Portfolio Holder.

According to the Monitoring Officer the law in relation to local government clearly stops a member of Council from involving himself in a matter or professional competence – that is a matter for staff themselves.

BC asked whether this was different when the officer appointment was by Members.

D cited the beach cleaning contract as a classic example – a conflict of interest between an officer awarding a contract where spouse was bidding company employee. This was exposed publicly and yet no role for members in terms of treatment of individual. This was a catalyst for renewed assault on members and the Council about probity.

BC asked to what extent a Member has a right to seek an enquiry?

D replied how are Members to initiate an inquiry if can't get evidence in the first place to know what to raise?

JL asked whether these were problems with this Council or a problem of national/legislative restriction?

D – There is a conundrum, Members including Portfolio Holder were appalled at what happened had been allowed to happen it was a huge concern, but the intention to get to the bottom of it was met by there's nothing we can do – director conducting own inquiry because Members precluded from being investigated, even though

much was in the public domain (and Members electorally and politically accountable).

JL asked whether this is a local or a national problem?

D believes there should be Member involvement in investigations within defined roles (for example Portfolio Holder, Select Committee Chair or someone with experience).

D raised an issue of an individual Member who has a personal relationship with a contractor who regularly contracts with the Council or seeks significant permissions/consents from the Council. The role of the Member is to distance themselves from the decision-making processing – if do not do so in grave danger of bringing the Council into disrepute. Failure to do so supports the perception that elements of the Council are on the make.

BC commented this was bog-standard code of conduct stuff.

D commented some Members do not find this manifestly obvious – or if do so ignore the procedures.

JL commented this was a breach of the spirit and letter of the code.

D replied when in doubt always declare – advice is always consistent and it is a mindset which is needed to see the potential conflicts and to be open about them.

D continued the role of political leadership is the crux. Political leadership needs to say clearly to members of the administration (who receive substantial allowances) if you err in your conduct we will throw you out of the group and be dismissed from Portfolio Holder/Chairmanship. This is not done. Leadership goes to great pains to cover up/nullify and to criticise Members who raise issues.

D added – what happens when Members display poor conduct is bound up with officer's poor conduct – what can a Member do?

D emphasised the conduct complained of is not criminal in nature but brings the Council into disrepute. A further example where D raised an issue of officer conduct with the Monitoring Officer who passed on to the line manager. It took D to prompt further investigation before the line manager took action – D believed he had prevented a whitewash. D had been asked why Members don't take a more accusatory role, the answer is that he is becoming more willing to do so, especially where there is a point of public interest or principle and not a personal issue at stake. However, D's experience is using Select Committees to explain what, and why doing, he faced a tirade from another Member to such an extent that the Chairman had to intervene. It is not therefore surprising that some Members are reluctant to do so.

D made the point that when it is not easy to whistle blow or to enquire it is easier to be critical. Particularly when the system is geared against Members becoming too involved.

D commented that the framework is reasonably easy to understand and strives for total probity (at least the core messages are if that is the case). In the detail it is less so, especially for people who have limited experience. The system should better enable Members who need to get to the bottom of things because that is what the electorate expect and if they are not able to do this there must be a clearer system to demonstrate what is being done on behalf of Members.

JL asked whether poor personal conduct was an issue.

D – the worst cases do not reflect on other Members but do reflect on the Council in the spirit of why is Councillor X still a member? “Perhaps there is nothing that we can do about this”.

Asked about the lower end of personal misconduct, D replied he was struck by people who dismissed the Council as a bunch of cock-uppers, this comes back to the issue of personally pursuing issues.

JL commented this reinforces the perception that performance is equated with ethics and asked what could be done to stop poor performance and therefore poor headlines and improve public perception?

D – errors, for example, in reports, aggrieve D. He can't overstate the pressure that members such as he experienced by the interpretation of rules and regulations that bind us, firstly in terms of enquiring into issues that need investigating and, secondly, problems that inability to see material to enable investigation or into the detail of a file to enable enquiry into wrong-doing at a high level of competence for probity.

D believes the Monitoring Officer should be outside of the Council as there is a potential conflict with the role of Chief Legal Officer. At the very least there should be some separation of roles from other service functions.

D raised some other areas of concern – firstly inexplicable decisions which involved Members inappropriately. This is more than slack management/professionalism. It affects the Council's ability to be seen to manage resources effectively and honestly.

D raised a concern about the pressure on Members. Particularly, the ability of Members to conduct good rigorous scrutiny. For example where a Portfolio Holder takes a decision on the basis of errors of fact and no-one spotted the errors. That is why we need good scrutiny even in the face of media coverage which may weaken the resolve to do so.

BC asked whether the cabinet system is regressive.

D answered overall is good but does provide greater opportunity for the extremely clever and really unscrupulous. It put an increasing burden on a small number of Members who have the time and inclination to undertake scrutiny.

D added that the administration have a number of people who can't or won't do anything so less and less Members are available to fulfil quotas and some of those flounder under extreme workload to do their best but spread themselves too thinly.

D expressed a belief that the streamlined system is great in principle but does not work as well as it should especially where Select Committee chairs come from the administration. This is not because of political reasons exclusively but also because of the financial benefit of patronage.

BC asked whether the new system affected member/officer relationships negatively.

D replied he does not think it does but do have to trust officers and rely upon them and have cordial relationships which does make being critical difficult.

D commented that a related side issue was that it is laughable that Members who do nothing can continue to draw allowances.

BC asked about training for Members and officers and whether they followed identified needs.

D believed the only real need was to ensure that any individual is trainable.

The conversation concluded with references to Contracts of Employment and HR arrangements which BC, D and JL agreed were not strictly speaking ethical issues.

STANDARDS COMMITTEE – ETHICAL AUDIT

INTERVIEW No. 5 E & F MEMBERS OF THE PUBLIC CONDUCTED BY BRUCE CLAXTON, GEORGE HIBBERD AND JOHN LAWSON

JL/BC introduced the session. BC explained the context of the interview. JL set out the ground rules which are that interviews were liable to be called on and quoted in the report. Interviewees were therefore to receive a draft copy so that they could comment on the way their views had been represented. Equally, if any comments needed to be marked confidential and not for reproduction, then interviewees were free to make that distinction.

BC explained the interim conclusion of the disparity between perception and reality.

E stated his perception that the Council is not as open as he believes it should be.

F cited three reports by Neil Newton, Tony Hall the District Auditor as being so critical as to make this audit superfluous. He had quoted the above report at a public meeting at Medina and emphasised there the use of language which was startling, strange and curious in relation to the actions of Officers who appear to require retraining. His concern was given particular emphasis as the Chief Executive had denied that these were quotations.

E added a further concern that Members had denied the existence/force of these reports – citing his own worst example as Neil Child’s criticism of Members gambling with public money. The ethical point was when Members said they had “never heard of it mate”. The second ethical point is that the Council’s response is unrealistic or misrepresentative or simply that “lessons have been learned”. The Isle of Wight is a curious village and people are close to the workings of the Council. This should be seen as a democratic strength.

E the competence of Officers is an ethical issue because of the nature of the working relationship between Officers and Members and the way which Officers appear to guide the hands of Members. An example of bad a relationship between politicians and employees, on a national level, was Beverley Hughes disowning problems of issuing passports.

Discussing the Standards Committee, E stated his belief that it had a hiccuppy start and although it may have improved he sees a weakness in the Terms of Reference (in comparison say to the non-Executive Directors at the Hospital Trust). He believes there is more scope for the Standards Committee to be proactive.

Raising a new issue, E stated his belief that Members don’t read reports (or at least appear not to).

At this point interviewees and interviewers entered into a discussion about the draining requirements of “top management” and “lower echelons”.

JL asked whether there was a problem in the manner in which Members dealt with problems/failings.

E agreed pointing to a history of “fantastic pay offs”, for example, four Chief Executives in rapid succession.

E acknowledged that salaries are a complicated issue. It is difficult to justify high salaries in the context of public service, although salaries are probably lower than in industry.

E raised a new issue of arrogance in presentation. This does occur and it is in contrast to some (and it does happen in this Authority), who will and can apologise.

E raised the issue of remuneration for Councillors. In one sense we get what we pay for and he certainly believes no-one should be out of pocket. If and Members do, get a wage, they should turn up (or resign if they can't).

F stated his preference for an attendance allowance and believes that Members should display some basic skills before standing as candidates for election.

E identified a potential conflict between representing constituents, voting loyally to keep chairmanship or other patronage and whipping/loyalty to a political group.

F believed internal appointment for senior posts, although made by Councillors, raised doubts about the quality of appointment to the reasons for them.

JL asked whether the personal conduct of Members was a problem.

F did not perceive this as a real problem although E believed alcohol is an issue he did not wish to be judgemental but behaviour whilst using alcohol was not always in the best interest of the Council.

E believed the conduct of officers created a perception of inadequate discipline because conducted in secret.

E has the view that any misbehaviour by members was a minority who do not conduct themselves properly – but people do remember.

F raised a new issue – that of the timing of an Interim Audit Report sent to Councillors on 22 December with no copies to the media. It came across as being an attempt to bury bad news.

JL asked whether declarations of interests by members was an issue.

E has anecdotes of problems where it has been said that pecuniary interests were not declared.

F said some people lay a lot of store in this issue (but it was not a particular issue for him).

E stated it is something which ought to be done but he has not come across councillors here not declaring whereas he has examples from elsewhere.

E raised an issue of appointment of elected members to outside bodies this should be on the basis of knowledge of/role in/responsibility for relevant issues on the Council.

E summarised a phenomenon which he observed of councillors wanting to rein in officers but simultaneously officers wanting to rein in councillors.

F summarised his concern that dirty linen should be washed in public as we were talking about a public authority. He did acknowledge tension which could arise whereby washing dirty linen in public does hit confidence in the authority. F would resolve this tension by improving competence and therefore creating less dirty linen.

The interview ran out of time and BC closed by undertaking to find ways for F and E to raise further issues if they so wish.

STANDARDS COMMITTEE – ETHICAL AUDIT

INTERVIEW No. 6 – WITH P, A REPRESENTATIVE OF THE VOLUNTARY SECTOR CONDUCTED BY BRUCE CLAXTON AND JOHN LAWSON – 13 JULY 2004

JL/BC introduced the session. BC explained the context of the interview. JL set out the ground rules which are that interviews were liable to be called upon and quoted in the report. Interviewees were therefore going to receive a draft copy so that they could comment on the way their views have been represented. Equally, if any comment needed to be marked as confidential and not for reproduction then interviewees were free to make that distinction.

P explained he was Deputy Chief Executive of a voluntary sector organisation. Prior to coming to the interview, he had canvassed the views of other senior managers within Island Volunteers, particularly the Chief Executive.

BC asked whether the emerging evidence of a perception problem (that the perception of poor ethical standards was greater than any evidence of really poor standards) was one which P shared.

P “agrees completely that perception is worse than reality”.

Accountability

For P accountability is the most important aspect of ethical conduct. Those who deal most with members within P’s organisation speak highly – especially of those ten or so members who are known to be open and accountable – they are “superb”.

Some members are criticised for not offering themselves to the media for accountability. The media and the public demand much higher standards now in terms of accountability. “Old style aldermen would get slaughtered.”

- There is a problem where members offer themselves for accountability and their skills/character do not lend them to easily perform well.

There is therefore a need to ensure that members do offer themselves to the media to be held accountable, but that training needs to be given and that some members need to be encouraged to make themselves accountable in ways other than through live interview.

Lack of briefing did not appear to be a problem.

Members and officers need to understand the media timetable and the need to speak in sound bites which are accessible.

The form of public debate, questions from the public gallery, public meetings and Council Chamber debates has now been, in P’s view, superseded by communications through the media. The former only attract the “same old faces”,

the latter serves a much wider section of the public. The former also runs the risk of being “a conduit for whingers”.

Individual Conduct

P was of the view that individual exceptions (where arrogance, rudeness or alcohol consumption may have been a factor) were the exception that proved the rule. The poor conduct of some individual members did not taint the Council as a whole or other members, in P’s view.

Asked whether legitimate disagreement over policy/decisions is dressed up as incompetence/corruption, P agreed. Taking Planning as an example, “the Council is “damned if they do and damned if they don’t”.

Asked for strategies to combat this, P emphasised the significance/importance of “communicating reasons for decisions taken” and also why decisions are taken in certain places.

The quality and accessibility of reasons is equally important. Electronic communications are extremely important here.

Democratic disengagement

There is a national phenomenon of the public disengaging from traditional democratic activity. Solent TV regards itself as a public service broadcaster, wanting to stimulate engagement.

The Local Authority has to be careful with engaging with the media, particularly through use of newspaper letters pages.

Past poor standards

P has a perception of past incidents of unresolved allegations of corruption and that the Council is still carrying the cost of those cases when not enough openness and accountability was apparent.

There are examples of gossip relating to the Economic Partnership Development at St Cross and plans in relation to Ryde Theatre (there being some hidden agenda).

Although not desirable to go back into the past and rake over old wounds, when things go wrong it is “usually better to take short-term pain”. P gave a good example of this when Mike Fisher wrote to the County Press honestly admitting weaknesses in audit reports.

Structures or competent?

BC asked whether P believed that there were any structural or competence issues.

P viewed competence as being “the biggest challenge going” with public perception, for example, is the consultancy used in a bad way to bolster incompetence?

There is a perception about the public service that it has not moved on as other areas have and that employees have a secure position where payoffs for retirement are common and perks such as free parking exist. There is a need to get right and explain the balance between the rights of employees and the rights of service users.

Looking to specific areas where his organisation engages with the Council, particularly Social Services as contractor providers, although there were some problems with individual staff members, generally experience is positive.

Self Regulation

Questioned by BC, P thought an element of self regulation at a local level may help with resolving the few problems that do arise but would not help with perception, as that perception of poor standards was not backed by evidence of real problems which local self regulation could address.

METHODOLOGY

Introduction

Ethical governance is a key part of the whole corporate governance of an authority, where corporate governance is defined as the system by which local authorities direct and control their functions and relate to their communities. This is because decision making in the public sector differs from that in the private sector. A different and higher standard of behaviour is expected from those who deal in public affairs and public money.

This was formalised in Part III of the Local Government Act 2000. Part II of the Act, introducing the changes of the new executive structure, is considered to require stronger ethical safeguards than the old committee structure.

The Audit Commission is continuing to develop its approach to the inspection of authorities' corporate governance arrangements, as they impact on service quality and the quest for continual improvement, as part of the Comprehensive Performance Assessment. Standards being a key element of any corporate governance assessment, the ethical governance audit will help in establishing good corporate governance by reviewing and then improving the ethical performance of the Council.

It is important that standards within an authority are seen as both an individual and corporate responsibility; that it is of relevance to personal conduct and also to the operation of the authority. In introducing the concept of ethical audits by the Local Government Association and the Improvement and Development Agency (IdeA), the Minister stated that *'effective local government requires one inescapable requirement: a bond of trust between the people and those in public life who serve them'*. The ethical audit, therefore, is a means of demonstrating the importance to the authority and public of that and, where needs be, openly identifying any problems and bringing about solutions.

Approach

The Audit will endeavour to compare what takes place within the Council against a set of core competencies which are set out in the Ethical Governance Manual written by the IdeA, the Local Government Association and others. The core competencies are a set of definitions set out under three main headings : Integrity, Accountability and Standards Management. The most important of these in terms of carrying out the audit is integrity, the others following as supplementary investigations through identified factors and further research.

The audit will undertake to address the following questions:

- | | |
|---------------|---|
| Communication | - are clear policies on ethical issues known and available? |
|---------------|---|

- Commitment and Leadership - are high ethical standards promulgated by both Members and Officers?
- Organisation - are there clear lines of accountability and appraisal?
- Systems - do procedures help to ensure high ethical standards?
- Scrutiny - are there avenues which act as a check on unethical behaviour?
- Partners and Contractors - are they required to subscribe to high ethical standards?
- Management - does management promote high ethical standards?
- Training - does Member and Officer training promote ethical behaviour?

Process

The audit is proposed to be undertaken in three stages. Evidence will be collated where appropriate in conjunction with interviews.

The first could be a fairly straightforward “desk top” exercise to be undertaken by a small sub Group of this Committee. Attached at Appendix A (page 59) is a short “checklist” of the things that this exercise should cover. The purpose would be for the sub group to get a “feel” of ethics and probity within the Council.

The second stage would be the issue of the short questionnaire as attached at Appendix B (page 61) to all Members, Directors, Heads of Service and a number of other officers and “partner” bodies would also be asked to consider completing the questionnaire. This exercise would help to identify if there were many significant issues or shortfalls that needed addressing.

The third stage would be some detailed research on an interview/research basis attempting to answer in some detail the questionnaire as at Appendix C (page 67). This would help to test some of the findings from the second stage and the length and breadth of the detailed questions would be re-considered after stage 2 had been completed relating to relevant aspects. Stage 2 does not need to be completed across the board before parts of Stage 3 can be commenced.

This stage will take the form of addressing each competence within the Council by:

- Selective review of the Council’s procedures and paperwork;

- invitation to comment and possible interview of the Chief Executive Officer, Directors, Group Leaders and any other Member who expresses an interest; and
- issuing questionnaires, followed up by interviews where appropriate, with Members of Standards Committee themselves, and all other Members of the Council.

References to the public and expectations of the public will be gained from a combination of:

- hearsay from Members and staff raised through the above;
- reviewing relevant feedback already provided through other consultations;
- interviews with the independent Members;
- reviewing records of public complaints and responses associated with these areas; and
- inviting members of the local media to interview.

Stage three would be concluded with identification of recommendations and possible action with a review to monitor progress.

The work will be carried out by a small sub Group of the Standards Committee assisted principally by myself and the Democratic Services Manager.

For the purposes of validation, a monitoring officer of a neighbouring authority could be invited to take part in the process and/or review the findings.

This proposal has been discussed with District Audit and Internal Audit.

ETHICAL GOVERNANCE AUDIT – STAGE 1

1. Desk Top Review of Policies (eg what policies and processes do we think we have in place?)

Standing Orders

Scheme of Delegation Officers
 Members

Terms of Reference

Contracts Standing Orders

Financial Standing Orders

Standards Document:

- ⇒ National Code of Local Government Conduct – Members
- ⇒ Code of Conduct – Employees
- ⇒ Officer / Member Protocol
- ⇒ Code of Practice – Whistleblowing
- ⇒ Guidance – for Members on Outside Bodies
- ⇒ Standards Committee
 - ◆ Terms of Reference
- ⇒ Monitoring Officer Guidance
- ⇒ Conflicts of Interest
- ⇒ Guidance on Support for Councillors
- ⇒ Guidance on Members' Correspondence
- ⇒ Dissemination of Local Gov. Ombudsman decisions
- ⇒ Decision making and Legal and Financial advice
- ⇒ Audit Reports - dissemination
- ⇒ Audit Code of Conduct

Declarations

Gifts and Hospitality

Proper Officer Arrangements

Recording of decisions

Induction – Officers
 Members

Training Officers
 Members

Risk Management Protocol

Health and Safety Policy

IT Security Policy

Management Letter

Statutory Plans (various)

Best Value Performance Plan
Members Allowance Scheme
Officer Expense Scheme
Arrangements for Head of Paid Service
Arrangements for Monitoring Officer
Arrangements for Section 151 Officer
Employment Policies (including local agreements)

2. Desk Top Review of Communication of Policies (eg how we think we do this)

To Officers
To Members
To the public
To others Government
 Local Government Associations
 The Press and Media
 District Audit
 Others

3. Desk Top Review of Processes (eg How do we think we apply policies and processes?) (Cross Reference to 1 and 2 above)

ETHICAL GOVERNANCE AUDIT

INTRODUCTION

In the context of local government, an ethical framework is a set of principles which govern our behaviour. Values like accountability, openness and observance of the law should determine the way we conduct ourselves in the carrying out of our duties in the public interest.

The Local Government Act 2000 provides for a new ethical framework for Members requiring them to observe a Code of Conduct which will be largely set nationally and a disciplinary procedure for dealing with complaints alleging misbehaviour. The Act also provides for a new Code of Conduct for employees which will automatically be incorporated into contracts of employment.

QUESTIONNAIRE

This audit has been approved by the Council's Standards Committee. Responses from a sample of Members and Officers will assist in assessing any ethical vulnerabilities facing the Council. The responses will be collated and are non-attributable. The results will help the Committee in particular in deciding how best to devote resources to training on conduct matters. Members or Officers who would like to participate in further confidential discussions on the issues raised are asked to complete the statement at the end of the questionnaire.

Please tick the answers you feel best reflect your view.

NO	QUESTIONS	ANSWER				COMMENTS (IF ANY)
		Yes	To a large extent	Not really	Not at all	
1	Is it important for local government to establish and operate by a set of strong ethical values?					
2	Do you think the public perceive ethical standards within the Council to be good?					
3	Do you believe standards of ethical conduct in this authority are high?					
4	Is there good access to information for: (a) Members (b) the public?					
5	Are you aware of and have a broad understanding of the following documents?					
	◆ <input type="checkbox"/> Standing Orders					
	◆ <input type="checkbox"/> Scheme of Delegation					
	◆ <input type="checkbox"/> National Code of Local Government Conduct for Members					
	◆ <input type="checkbox"/> Officer / Member Protocol					
	◆ <input type="checkbox"/> Financial Regulations					
	◆ <input type="checkbox"/> Contract Standing Orders					

NO	QUESTIONS	ANSWER				COMMENTS (IF ANY)
		Yes	To a large extent	Not really	Not at all	
	◆ <input type="checkbox"/> Special Procedures and Protocols					
	Do you know where you can put your hands on the above documents?					
6	Do you have a reasonable understanding of the role of the following statutory officers?					
	◆ <input type="checkbox"/> Head of Paid Service					
	◆ <input type="checkbox"/> Monitoring Officer					
	◆ <input type="checkbox"/> Chief Finance Officer					
7	Do you have a good understanding of the processes for the conduct of local authority business?					
8	Do you receive clear information about the work of the Council which is relevant to you?					
9	Do you think there is any complacency about standards of conduct?					
	(a) within Members					
	(b) within Officers					
10	Do you think Members see themselves as having a role in ensuring good conduct and high standards on the part of others?					

NO	QUESTIONS	ANSWER				COMMENTS (IF ANY)
		Yes	To a large extent	Not really	Not at all	
11	Do you think Officers see themselves as having a role in ensuring good conduct and high standards on the part of others?					
12	Is there an understanding throughout the authority of the new ethical framework proposed in the Local Government Act 2000?					
13	Are Officers clear as to their role and accountabilities?					
14	Are Members clear as to their role and accountabilities?					
15	Do non-executive Members identify strongly with the overview and scrutiny role?					
16	In respect of ethical governance are the Council's practices and procedures relevant, up-to-date and clear?					
17	Does the Council consistently follow such proper procedures?					
18	Does the Council deal effectively with misconduct? <ul style="list-style-type: none"> - - of Members - - of Officers 					

NO	QUESTIONS	ANSWER				COMMENTS (IF ANY)
		Yes	To a large extent	Not really	Not at all	
19	Do Members have a common understanding on how to deal with conflict of interests? Do Officers have a common understanding on how to deal with conflict of interest?					
20	Do you believe the role of the Standards Committee is widely understood?					
21	Are Standards issues perceived as owned by Members and Officers generally?					
22	Do you know where (or from whom) you can obtain advice and support to help you on Standards issues?					
23	Have you had relevant training on issues relating to standards of conduct?					
24	Are there any questions you would want the Ethical Governance Audit to answer for you?					

WHAT PART DO YOU PLAY IN THE BUSINESS OF THE COUNCIL?

As a Member Chair of a Committee / Panel
 Vice Chair of a Committee / Panel
 Member of the Executive
 Other

As an employee Strategic Director
 Head of Service
 Other

Please add your name and signature **only** if you would like a specific response to any issue that you have raised – or if you would like to!

Name (in block capitals)	<input type="text"/>	Member / Officer
Signed	<input type="text"/>	
Date	<input type="text"/>	

THANK YOU FOR COMPLETING THIS QUESTIONNAIRE. THE STANDARDS COMMITTEE AND I ARE VERY GRATEFUL FOR YOUR CO-OPERATION.

Please use the attached addressed envelope to return the questionnaire to:

John Lawson
Monitoring Officer

COMPETENCE	DEFINITION	QUESTIONS	METHOD
A. Integrity			
1. Ethical vision	<i>Members and staff recognise the importance of ethical standards in local government thus enabling the Authority to construct and develop an ethical culture and values for the Authority.</i>	<p>What ethical standards are there?</p> <p>How important are they in what you/people do?</p> <p>Do Members and officers understand the ethical framework and its role in local governance?</p> <p>Is there an active encouragement and promotion of high standards by senior Members?</p> <p>Is there evidence of inappropriate conduct by Members or senior staff being accepted as an inevitable part of the political nature of local government?</p>	<p>E.g.:</p> <ul style="list-style-type: none"> - Review of documentation; - Interviews; - Invitation; or - Questionnaire
2. Communication	<i>Dissemination of relevant information, policies and procedures and guidance on ethical standards to Members, staff, the public, other individuals and organisations with which the Council is involved and encouragement of listening, dialogue and feedback.</i>	<p>Are Members and officers aware of key rules and guidance on ethical standards and/or sources of advice?</p> <p>Is there concern by members, officers or the public that ethical standards within the Authority are poor?</p> <p>Is there evidence of discouragement of or resistance to criticism?</p>	

COMPETENCE	DEFINITION	QUESTIONS	METHOD
3. Commitment and Leadership	<i>Recognition by Members and staff of their individual and corporate responsibility to promote and encourage high standards of conduct throughout the Authority.</i>	<p>Do individual Members and Officers see themselves as having a role in ensuring appropriate conduct and high standards on the part of others?</p> <p>Is there a sense of collective responsibility for maintenance and encouragement of high ethical standards?</p>	
B. Accountability			
1. Organisational management	<i>The Authority has clearly defined and well understood roles and responsibilities for both Members and staff with clear management processes for policy development, implementation and review, decision making, monitoring and reporting. This will be a mixture of paper based investigation and follow up to questions set out within the integrity section.</i>	<p>Are the legal roles and responsibilities of officers clearly set out and are these accepted and understood?</p> <p>Has the monitoring officer sufficient status to ensure legality and probity issues are properly considered?</p> <p>Has the authority adopted a monitoring officer protocol?</p> <p>Is the monitoring officer proactive in his role?</p>	

COMPETENCE	DEFINITION	QUESTIONS	METHOD
2. Systems and process operation	<p><i>The Authority operates to its defined roles, responsibilities, policies, procedures, protocols and codes. It monitors, reviews and amends these when necessary or when appropriate. Investigation on this area will again be concerned with paper investigations and follow up to questions in the integrity section.</i></p>	<p>Is there in place arrangements for implementing or responding to new legislation, statutory requirements or emerging legal issues that are likely to have significant strategic, policy or budgetary consequences?</p> <p>Are arrangements in place to identify proposals involving transactions that are unusual or of questionable legality and which might have significant consequences?</p> <p>Is there evidence that appropriate action is taken in cases involving the above?</p> <p>Are legal issues adequately addressed in the decision making process?</p> <p>Are legal issues adequately addressed where decision making arrangements are devolved?</p>	
3. Objectivity and scrutiny	<p><i>Recognition that situations of ethical ambiguity or conflict will occur and the ability of individuals to deal with these appropriately.</i></p>	<p>Is there a common understanding within the Authority regarding conflicts of interest?</p> <p>Do officers consider a situation objectively and realise how it may be perceived by the public, the media, individuals or organisations?</p>	

COMPETENCE	DEFINITION	QUESTIONS	METHOD
		<p>Are Members registering or declaring interests appropriately?</p> <p>Do Members or officers have the requisite skills or inclination to form appropriate judgements on ethical standards issues?</p>	
C. Standards Management			
1. Integration	<i>Making the promotion, maintenance and development of high standards of conduct integral to all the Authority's operations</i>	<p>Are standards issues seen as separate from the mainstream activity of the Authority rather than integral to them?</p> <p>Do Members and staff take it for granted that high standards will be maintained without conscious effort?</p>	
2. People and Practice Management	<i>An expectation that Members and staff operate to the highest of standards of conduct, encouragement to do so, acknowledgement that on occasions some may fail to do so and a willingness to address this</i>	<p>Is there a perception that the organisation ignores misconduct and fails to deal with it properly?</p> <p>Is there a reluctance on the part of Members or officers to take action in respect of misconduct because of lack of confidence in the system?</p> <p>Do members and officers know where to obtain advice to support staff in relation to these Standards issues?</p>	

COMPETENCE	DEFINITION	QUESTIONS	METHOD
		Do you know the confidential reporting mechanisms?	
3 Training and Development	<i>Recognition for and commitment to training and development in relation to ethical standards.</i>	<p>Is there an induction programme for both Members and officers which incorporates ethical standards and seeks to integrate them to all aspects of that induction?</p> <p>Is training compulsory?</p> <p>Does the training tackle difficult issues such as conflicts of interests, handling demands for special treatment, relationships with contractors, lobbying by third parties and does it give participants the skills to deal with these real life situations?</p> <p>Is there a perception that the public service ethos is sufficient to maintain and develop high standards?</p> <p>Is there a willingness on the part of Members or officers to participate in training and development.</p> <p>Is there evidence of a view long service knowledge makes training unnecessary?</p>	

COMPETENCE	DEFINITION	QUESTIONS	METHOD
4. Planning and Review	<i>Recognition of the need for systematic and regular review of the implementation of operation of the ethical framework in the authority and the ability to undertake this and demonstrate continuous improvement.</i>	<p>Can the Authority demonstrate positive trends and specific progress in the implementation of the ethical framework?</p> <p>Is there a monitoring and review programme in place and operating?</p> <p>Are there planned improvements or targets?</p>	

1. At the first meeting of the working group on 5 August 2003 the first part of a desktop review of policies and processes was completed. The exercise was to identify whether the list of documents set out in the methodology were in existence and, secondly, to classify those document which did exist according to the key set out in Appendix A to this report.
2. The second part of Phase 1 consisted of more detailed scrutiny of those documents categorised as 3 in the initial part of the phase – those documents which merited closer review. That exercise took place through individual reading and a feedback meeting on 7 October.
3. The category 3 documents were reviewed against five criteria:
 - Comprehensibility/user-friendliness
 - Clarity of responsibility for implementation
 - Arrangements for monitoring implementation/adherence
 - Clearly planned evaluation/review
 - Clear lines of distribution/communication

PHASE 2

4. A key part of the methodology for the next phase of the Ethical Audit is the production, distribution and analysis of a questionnaire. It is suggested that the working group, either by meeting or through an exchange of electronic correspondence develops the following themes into a short but informative questionnaire :
 - (i) Awareness of ethical/probity regime including :
 - Local rules
 - National rules
 - Standards Committee role

- Standards Board for England role
- (ii) Perceptions of :
- Sufficiency/appropriateness of existing regime and processes
 - Local adherence to regime/processes
- (iii) Confidence in ability of authority to deal with weaknesses and departures from required standards.
- (iv) Identification of current/future priorities for change/development.
5. The working group could similarly develop a methodology for targeting useful respondents and adopting appropriate contact methods. These may include :
- (i) Post/e-mail to :
- Elected Members
 - A sample of staff (including those who do and those who do not have substantial contact with Elected Members.
 - Vocal local critics (careful selection will be necessary)
 - Trade Unions
- (ii) Face to face interviews :
- Sample of Members (3 or 4 including opposition and ruling group members)
 - The former Chair of the Standards Committee
 - Media (particularly County Press?)
 - Member of Parliament/MEP
 - Senior staff (2 or 3 including Chief Executive Officer, Head of Planning)
6. The Committee will also wish to consider developing a short list of candidate topics for further research as part of the third phase of methodology. Current suggestions include :
- Documents/processes for detailed technical/legal reviews
 - Practice in declaring interests
 - Practice in registering interests
 - Engagement of stakeholders in ethical/probity issues.
 - Sufficiency of guidance on access to information.
 - Awareness of key Financial Regulations/Contract Standing Orders among Members and officers.
 - Ethics/probity in the context of planning.

As Phase 3 in the methodology will not take place until after the next meeting of the Standards Committee it is suggested that final selection and prioritisation of topics for further research be considered at that next meeting.

2. To take this matter forward it is suggested that the Working Party interview a small number of individual members of the public to try and understand exactly what the issue is so that effect remedies can be identified and implemented.
3. It is suggested that the Chairman of the Standards Committee, with assistance from the Monitoring Officer (and one or two other Members of the Standards Committee) arranges to invite the following to be interviewed:
 - a. A member of the public;
 - b. The editor of one major local news media;
 - c. An experienced Member of the Council;
 - d. A senior trades union figure;
 - e. A representative of the business community; and
 - f. A representative of the voluntary sector.

It is estimated that interviews will last half an hour and will concentrate on testing the conclusion that perception of ethical standards is worse than reality and on identifying ways of improving perception.

ETHICAL GOVERNANCE AUDIT – PHASE 1

Key

C	Constitution
I	Internet
H	Members' Handbook
X	Not available
?	Unsure
1	National Document
2	Fine
3	Needs to be reviewed

1. Desk Top Review of Policies (eg what policies and processes do we think we have in place?)

Standing Orders (Procedure Rules)	C	3
Scheme of Delegation	C	2
Officers	C	2
Members	C	2
Terms of Reference	C	2
Contract Standing Orders	C	3
Financial Standing Orders	C	3
Standards Document:		
National Code of Local Government Conduct – Members	C	3
Code of Conduct – Employees	C/?	2
Officer / Member Protocol	C	3
Code of Practice – Whistleblowing	I	3
Guidance – for Members on Outside Bodies	H	3
Standards Committee - Terms of Reference	C	3
Monitoring Officer Guidance	?	3
Conflicts of Interest	I	1/3
Guidance on Support for Councillors	?	X/3
Guidance on Members' Correspondence	?	X
Dissemination of Local Gov. Ombudsman decisions	?	1
Decision making and Legal and Financial advice	I	2
Audit Reports - dissemination	I	X/2
Audit Code of Conduct	I	X/2
Declarations Gifts and Hospitality	C	1/3
Recording of decisions	I/C	2
Induction – Officers	I	2

	Members (needs Personal Performance and feedback as products)	I/?	X/3
Training	Officers	I	2
	Members	?	X/3
	Risk Management Protocol	?	2
	Health and Safety Policy	I	2
	IT Security Policy	I	2
	Management Letter (District Audit/Audit Commission)	I	(2)
	Statutory Plans (various)	I	2
	Best Value Performance Plan	I	2
	Members Allowance Scheme	I/C	2
	Officer Expense Scheme	I	2
	Arrangements for Head of Paid Service	C	3
	Arrangements for Monitoring Officer	C	3
	Arrangements for Section 151 Officer	C	3
	Employment Policies (including local agreements)	I	2

Recommendations

1. Index for constitution and handbook to include (a) review date, (b) update date, (c) issue dates (also to be in footers) [Good model – confidential reporting control].
2. Cross reference for updating (Q – software solution) and paper x-ref plan.
3. Update/refresh – changes in personnel/job titles – at least 6 monthly; Members allowances and legislation and delete names/specifics.
4. Consistent numbering (paras 1.1; 1,2 etc) refine which works in electronic and hard copy.
5. Is the handbook the place for blank pro formas? [Discrete section for Forms?]
6. Emphasise (in o/s bodies guidebook) that in conflict situations o/s body's interest take priority.
7. Complaints procedure needs to refer to Standards Board.
8. Article 2 of the Constitution needs to cross reference to job profiles.
9. Standards Committee (Article 9) 1. Update and delete names; 2. Deputies – add reference (inc. quorum) and 3. Add s.66 reference.
10. Article 9 – quorum for referrals under s.66 regs.

11. Article 10 – amend to make clear extent and limits of member involvement in management of staff (esp CEO) in appraisal/discipline/appointment.
12. Article 10 – clarity on MO/Proper Officer/CFO
13. Throughout reference the parts of constitution.
14. Add significant/important statutory references to all of constitution.
15. Redraft multiplicity of procedure rules and protocols to 1. shorten; and 2. cut out repetition.
16. Introduce – follow up/ feedback and Personal Development Planning.
17. Add further key (defined by inclusion) ethical documents to handbook/constitution.

APPENDIX 3

Questionnaire Circulation List

All 48 Members of the Isle of Wight Council as at March 2004

Staff:

Complementary Work (Governance Audit)

AUDIT SERVICES REPORT – CORPORATE GOVERNANCE

1. EXECUTIVE SUMMARY

1.1 Introduction

The Local Government Act 2000 is challenging for local authorities. A common theme running through all of the Government's requirements is the need for local authorities to review the various systems and processes they have in place for managing both their own internal affairs and their relationships with key stakeholders. Together these systems and processes comprise corporate governance. The concept and principles of corporate governance are directly relevant to local authorities and to the Governments aim of democratic renewal.

The purpose of this report is to assess the level to which the IOW Council are complying with the underlying principles of good corporate governance in accordance with the CIPFA/SOLACE framework and to form an opinion of the effectiveness of the Council's ability to demonstrate compliance with the framework.

Summary of Significant Findings

During financial year 2003/2004 the Council did not have it's own local code of corporate governance. However, subsequent to the conclusion of the financial year, a Statement of Internal Control was developed which satisfies much of the requirements of a corporate governance code and to fully comply with the requirement will be developed further.

Members and senior officers are responsible for putting in place proper arrangements for the governance of the council's affairs and the stewardship of the resources at its disposal. The code should be consistent with the principles and reflect the requirements of the CIPFA/SOLACE framework (Corporate Governance in Local Government: A Keystone for Community Governance). A copy of the code should be made available to the general public on the council's website.

Many of the procedures, protocols and codes of conduct etc., which are key components of corporate governance, are documented in the council's Constitution. This is available to the general public on the councils website however it is presented as a continuous scroll with no page breaks. The hard copy of the document has a great many pages and therefore navigating the document on the website is very difficult. Steps should be taken to improve this with page numbering and an index.

Gifts and Hospitality registers is an area of weakness with some service teams using a central directorate register, others using their own individual team registers and others having no register at all. The guidance issued refers to directorate registers however in practise the service teams in some directorates are spread over a wide area and in these circumstances using just one register is impractical.

Declarations/Registers of Interest was also noted as an area of weakness. Procedures are set out in the Codes of Conduct for both members and officers. For members a standard item is included on the agenda for all council meetings. However for officers the code only states that interests are to be “declared to the line manager” with no mention of “in writing”. The procedure has been tightened up and all members of staff are now required to complete a declaration of interests, which is reviewed in the PDR process. Staff with no interests to declare are required to complete a nil return. Our findings revealed that many of the service teams were unaware of these requirements and their staff had not completed the forms.

1.3 Overall Conclusion

The Council have many of the systems and procedures in place that conform to the principles of good corporate governance. These have been developed over a number of years in an ad-hoc manner and are generally sound. However, they are now being pulled together to provide a more coherent and structured approach.

To enhance this process, it is recommended that the Council develops further the Statement of Internal Control so that it encapsulates the full requirements of a local code of corporate governance, which is officially approved and adopted. This document should be reviewed at least annually in order to provide assurance that it is both adequate and effective and also to measure the level of the Council’s compliance with the modified Statement.

Standards of Conduct is an area in which codes of conduct for both members and officers are in place and are generally adhered to. However it was noted that in some instances evidence of compliance is inadequate. Steps have been taken to improve this area and regular reviews should be undertaken to ensure that widespread compliance is maintained.

The IOW Council is generally complying with the underlying principles of good corporate governance in accordance with the CIPFA/SOLACE framework. However, there are areas where improvements are required before the Council can be considered to be fully complying with the framework. The Council must also be able to demonstrate compliance with the framework and whilst procedures and processes are in place to do this they are not always being followed.

1.4 Acknowledgements

I would like to take this opportunity to thank all members of staff for their co-operation and assistance in carrying out this review.

Internal Audit Action Plan

Title of Report: Corporate Governance

Date Final Report issued:

Main Findings	Possible Consequences	Action Required	Priority	Responsibility	Target Date
1) The Council does not have a local code of corporate governance.	Failure to meet expected standards of performance and conduct.	Incorporate the code in the Statement of Internal Control	1	Paul Wilkinson John Lawson	01/01/2005
2) There is a requirement to set standards and targets for performance in the delivery of services on a sustainable basis. Need to clarify meaning of sustainable as can mean ongoing regular basis or environmentally sustainable. There is a need to embed performance management into the organisational culture.	Emphasis on wrong aspect of service delivery.	Clarify the meaning of the word sustainable in this instance. Improving ownership of the performance management agenda.	2	John Bentley	01/01/2005
3) Whilst some local performance indicators have been developed more are required to assist the measurement of performance in many of the service areas.	Inaccurate and incomplete measurement of performance.	Develop additional local performance indicators.	2	John Bentley	01/01/2005
4) No evidence that resources were allocated according to priorities in the 2003/04 budget. The budget process for 2004/05 has been more closely linked to the service planning	Significant risks may not be appropriately mitigated	Use risk management framework as one of the mechanisms for prioritisation and resource allocation.	2	Paul Wilkinson	11/10/2004

Main Findings	Possible Consequences	Action Required	Priority	Responsibility	Target Date
framework.					
5) In view of the number of Partnerships that the Council has there is a need for a framework to be developed to ensure a corporate approach is maintained.	Inconsistent agreements with different partners may reduce their effectiveness.	Develop a partnership framework.	2	John Lawson	01/01/2005
6) The Constitution is a continuous scroll on the intranet, which makes it a very slow process to find information.	Time wasting and poor public perception. Due to navigational difficulties staff may not be aware of the requirements of the Constitution.	The Constitution on the intranet should include page numbers and an index to assist navigation.	3	John Lawson	01/01/2005
7) The Members' Allowance Scheme is now reviewed by the Independent Remuneration Panel and not the Chief Financial Officer as stated in the Constitution. The new decision making structure is not reflected in the Scheme	Constitution and Members' Allowance Scheme not in line with current practices.	Update the Constitution to reflect the new process for reviewing the Members Allowance Scheme. Update the Members' Allowance Scheme in line with the new council structure.	3	John Lawson	01/01/2005
8) Whilst there is an Anti Fraud and Corruption Policy and Strategy in place it has not been reviewed recently.	Inconsistencies between the Policy and Strategy and current practices.	Review the Anti Fraud & Corruption Policy and Strategy.	2	Ged Richardson	01/01/2005
9) A number of Service Units did not have a Gifts & Hospitality register and generally the process of reviewing those existing registers was inconsistent.	Failure to comply with the relevant legislation.	Set up a Gifts & Hospitality Register for each Service Unit. Head of Service to review registers every quarter. Director to review Heads of Service registers. Chief Executive	1	S.M.T.	01/11/2004

Main Findings	Possible Consequences	Action Required	Priority	Responsibility	Target Date
		to review Directors registers. Monitoring Officer to review Chief Executives register. Amend relevant sections of Constitution and Codes of Conduct for Officers.			
10) A number of Service Units were unaware that all members of staff were required to complete a Declaration of Interests form.	Failure to comply with the relevant legislation.	Service Heads to ensure current staff complete a form of declaration. All new members of staff to complete a form at the same time as signing their contract of employment.	1	S.M.T.	01/11/2004

Priority Rating :-

- 1 – Serious control weakness requiring immediate action.
- 2 - Control weakness requiring action within follow up period.
- 3 – Low priority control weakness requiring action within timescale determined by management.

Action Plan

	Action	Standards Committee Date of Decision	By Whom	Time Frame
1.	Key constitutional documents (specifically including: Standing Orders (Procedure Rules), Contract Standing Orders, Financial Standing Orders, National Code of Local Government Conduct, Officer/Member protocol, Code of Practice – Whistleblowing, Guidance for Members on Outside Bodies, Standards Committee Terms of Reference, Monitoring Officer Guidance, Conflicts of interest, Guidance on Support for Councillors, Declarations – gifts and hospitality, Members Induction and Training, Arrangements for Head of Paid Service, Monitoring Officer and Section 151 Officer) be brought together in a single document or organised in a coherent and cross-referenced fashion. The revised document to include a single index identifying when each document was last updated and when planned for review. This information should be replicated as footers to all locally produced documents.	21 October 2003	Monitoring Officer	Achieved
2.	All the existing locally produced documents require updating and refreshing to reflect changes in personnel/job titles, Council structures and legislation – where possible future-proofing by removing references to names.	21 October 2003	Monitoring Officer	Achieved

	Action	Standards Committee Date of Decision	By Whom	Time Frame
3.	Accessibility will be encouraged by a consistent numbering regime which works in both electronic and hard copy formats.	21 October 2003	Monitoring Officer	Achieved
4.	The planned review of the constitution should have as an objective a reduction in the current number of procedure rules and protocols and, as a second objective, to be shorter and to avoid some of the existing repetition.	21 October 2003	Monitoring Officer	July 2005 Full Council
5.	Support for members. Through discrete guidance and/or amendment of the Members' Handbook, Members entitlement to administrative support; training; accommodation; publicity; media relations; publications; travel and subsistence should be more clearly set out.	21 October 2003	Monitoring Officer	By End 2005
6.	Members' correspondence. Through discrete guidance and/or amendment to the Members' Handbook, guidance to Members on dealing with correspondence should be set out.	21 October 2003	Monitoring Officer	By end 2005
7.	Declarations of interest. Following assessment of sufficiency/completeness of Standards Board guidance, further local guidance to be issued, over a period of time, to support/reinforce good practice in declarations of interest.	21 October 2003	Monitoring Officer/ Standards Committee	Part of initial induction training. Further reports by Spring 2006
8.	Gifts and hospitality. Following assessment of sufficiency/completeness of Standards Board guidance, further local guidance to be issued over a period of time to support/reinforce good practice in registration of gifts and hospitality.	21 October 2003	Monitoring Officer/ Standards Committee	Part of initial induction training. Further reports by Spring 2006

	Action	Standards Committee Date of Decision	By Whom	Time Frame
9.	Statutory officers. Detail of responsibility/arrangements for discharge of functions of three statutory officers should be set out in single A4 summary for inclusion in Members' Handbook, on website, circulated to staff.		Statutory Officers	By end 2005
10.	Audit Reports (internal/external). A clear protocol/record of the mechanisms for reporting to Members, public availability, responsibility for implementation and monitoring implementation is required.	21 October 2003	Chief Financial Officer/Compliance and Risk Manager	To do by Spring 2006
11.	Audit Code of Conduct. The existence and availability of the Audit Code of Conduct needs to be publicised.	21 October 2003	Chief Financial Officer/Compliance and Risk Manager	Link via website by end 2005
12.	Members' Induction. The Members' induction programme should be added to, in order to ensure new Members are able to feed back more formally, via their mentor or otherwise, during the process and to ensure a development/training needs assessment is produced during the course of the induction.	21 October 2003	Chief Executive Officer	Delivered May/June/ July 2005
13.	<p>THAT Article 9 of the Constitution (Terms of Reference of the Standards Committee) is amended to add after the words "Parish Councils": "EXCEPT:</p> <p>(i) When determining complaints against members of the Isle of Wight Council referred by an Ethical Standards Officer when the quorum will be any 3 members, one of whom must be an independent member; or</p> <p>(ii) When determining complaints against a</p>	21 October 2003	Council	Completed

	Action	Standards Committee Date of Decision	By Whom	Time Frame
	Parish or Town Councillor referred by an Ethical Standards Officer when the quorum will be 3 members, one of whom must be an independent member, including the representative of the Isle of Wight Association of Town and Parish Councils (or their deputy)."			
14.	Review confidential reporting code	4 July 2005	Head of Human Resources	December 2005
15.	Raise profile of confidential reporting code and Members Code of Conduct	4 July 2005	Head of Human Resources/Monitoring Officer	December 2005
16.	Response to propose National Code of Conduct for officers	4 July 2005	Head of Human Resources	Determined by Government timetable
17.	Revise capability process to include gross incapability	4 July 2005	Head of Human Resources	September 2005
18.	Consider adopting performance indicator on competence of staff	4 July 2005	Head of Human Resources	September 2005
19.	Propose mechanism for reporting on performance to Town and Parish Councils	4 July 2005	Head of Policy and Communications	December 2005
20.	Produce guidance and review processes on Members access to information	4 July 2005	Standards Committee	January 2006 meeting
21.	Add ethical issues as a standing item on Full Council agenda	4 July 2005	Monitoring Officer	Adopted by Full Council on 22 June 2005
22.	Review existing media strategy	4 July 2005	Head of Corporate Policy and Communications	To be agreed
23.	Raise profile of requirements for Members to declare interest	4 July 2005	Monitoring Officer	Delivered through induction programme
24.	Propose integrating public contact with Council via elected Members into Great Access to Great Services programme	4 July 2005	Head of Organisational change	To be agreed

	Action	Standards Committee Date of Decision	By Whom	Time Frame
25.	New single reference point for all internal and external arrangements for monitoring, inspecting and reporting on performance	4 July 2005	Head of Corporate Policy/Chief Financial Officer	To be agreed
26.	Ensure scrutiny activity draws on a range of Officers from across the Council (and its partners)	4 July 2005	Monitoring Officer	December 2005
27.	Review reporting of Members' attendance	4 July 2005	Standards Committee	January 2006 meeting
28.	Consider incentivising Members' achievement	4 July 2005	Remuneration Panel	October 2005
29.	Produce guidelines for Members' criticism of the Council and its staff	4 July 2005	Standards Committee	To be agreed
30.	Review of complaints procedure	4 July 2005	Head of Corporate Policy and Complaints	To be agreed
31.	Agree Standards Committee work programme	4 July 2005	Standards Committee	July 2005 meeting