

AUDIT AND STANDARDS COMMITTEE

10 APRIL 2018

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Report Title	FIRST REPORT OF TASK & FINISH GROUP (ETHICAL AUDIT)
Purpose of Report	To agree the terms of reference of the Group
Decision(s)	The Committee RESOLVES that the terms of reference of the Task and Finish Group (Ethical Audit) are as outlined in section 2 of the report.
Financial Implications	There are no financial implications arising directly from this report. David Stanley – Accountancy Manager Tel: 01453 754100 Email: david.stanley@stroud.gov.uk
Legal Implications	Failure of the Council to meet is legal duty to promote and maintain high standards of conduct opens the Council to legal challenge as well as reputational risk. K Trickey, Head of Legal Services and Monitoring Officer Tel: 01453 754369 Email: karen.trickey@stroud.gov.uk
Report Author	K Trickey on behalf of the Task and Finish Group (Chair Cllr Studdert-Kennedy; Cllr Baxendale; Cllr Pearson; Cllr Tom Williams; Cllr Wride)

1. INTRODUCTION

- 1.1 Further to the Committee's decision to set up a Task and Finish Group to review the Council's ethical framework (as defined in the report to the last Committee meeting), the appointed members met to consider its specific terms of reference.

2. TERMS OF THE REVIEW

- 2.1 The Group recognises that the Audit and Standards Committee should seek assurance that the Council fully understands the high standards of conduct required of its members and is satisfied that there is a framework in place to ensure that such standards are upheld by the Council. With this in mind, the Group proposes that its review should comprise an assessment of (a) the content of the Members' Code (in particular the general requirements) and (b) the existing investigations and determinations procedure; in both cases, with a view to the Group making recommendations on changes (if any) to the framework to ensure that relevant standards are promoted and upheld by the Council.

2.2 In respect to (a) the Group considers pertinent questions include:

- Are the general principles / requirements in the Code (e.g. confidentiality and respect for others) rather than simply interests, properly understood amongst members?
- Is the existing Members' Code of Conduct given appropriate regard by Members? If not, what would address such? Would strengthening the consequences of breaching the Code help?
- Do the various protocols within the Constitution add value? For example, are the Member / Officer and Member / Member protocols fit for purpose?
- Would it be helpful to include key protocol provisions within a revised Code so there is only one point of reference for standards?
- Are there other issues which need including in the Code (e.g. on social media which are currently addressed in Member Guides)?

2.3 Turning to (b), the investigations procedure, the Group considers a review should be undertaken of the role of the Committee as part of the complaint process and the use of sanctions in terms of improving standards and discouraging breaches. It was noted that whilst codes of conduct vary amongst parish and town councils and differ to that of the District Council, the investigation procedure still applies to them. Consequently, the Group proposes to seek the views of parish and town councils when considering this part of the audit.

2.4 The Group also proposes to:

- seek views from a variety of stakeholders including all Council members; officers; complainants; and the independent standards panel members and
- report back with its findings or (if the review is not concluded) progress, to the committee at its first meeting in 2018/19 (i.e. 26 July 2018).

2.5 In terms of the members of the group, the existing members are content to continue, although the Committee is asked to confirm the membership as part of the acceptance (or otherwise) of the terms of reference set out in paragraphs 2.1 to 2.5 of this report.