

OPERATIONS REPORT TO THE BOARD

Reporting period to October 31 2008

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1. Summary of performance

In future reports, this introduction will highlight significant variations on previous reports and signpost items of particular interest.

Some data sets are collected to October 31 and some to September 30, as they were prepared early to allow time to develop this report. In future, we will endeavour to ensure a consistent reporting period. In practice, monthly stats are usually available by the tenth of the following month.

2. Key performance indicators

Performance against the key performance indicators (KPIs) for the period 1 April 2008 to 30 September 2009 shows that 12 out of 13 KPIs are on track against the targets set. The one KPI that was not achieved was the Investigations target relating to 90% of cases being handled within six months. The Exception report is detailed below.

New KPIs approved by the Board are effective from 1 October. These include a changed target to complete 90% of standard cases within six months and 90% of all cases within one year, to ensure this fits in with current practice.

Exception report - KPI 8

High standards of case handling nationally

Measure: % of cases accepted for investigation by the Standards Board to be completed within 6 months

Target: 90%

Department: Investigations

September	October	Year to date	Light
90%	88%	81%	

Why performance was not achieved

In September and October we have completed close to 90% of the cases due for those months. The figure for the number of cases for the year to date is steadily improving and should continue to do so. This is an annual target, but earlier months' performance means that we are still not meeting it.

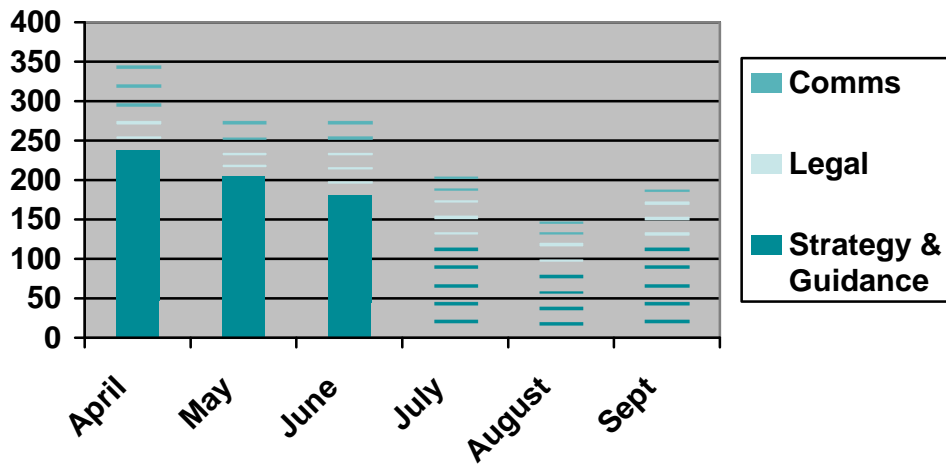
Measures to be taken to ensure target is achieved in future

Due to the small number of cases, the end of year figure for the six month measure is likely to be in the 80 – 90% range. We have reviewed the 90% target against a caseload that is likely to be made up largely of more complex cases. New KPIs approved by the Board, which will be effective from 1 October, are to complete 90% of standard cases within six months and 90% of all cases within one year. We will be reporting on these for cases referred to us from standards committees (ie after the introduction of local assessment on May 8) from the end of next month.

3. Enquiries

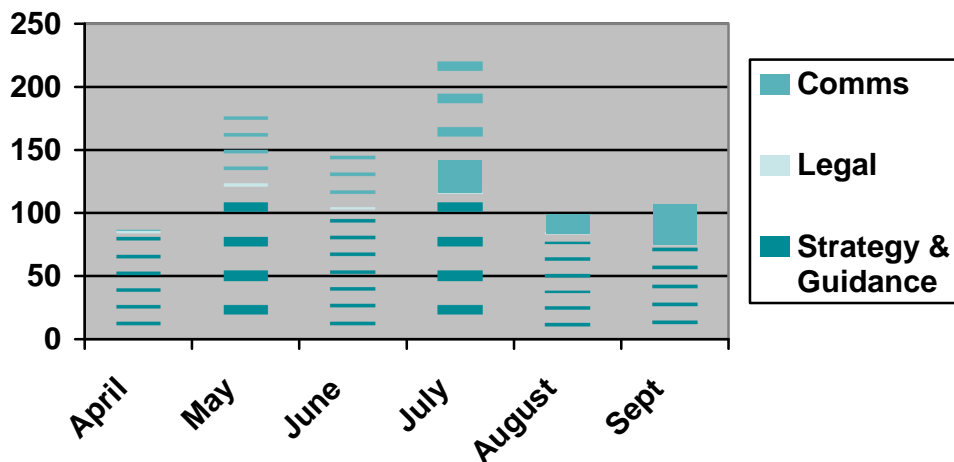
3.1. Details of telephone enquiries handled

	April	May	June	July	August	Sept
Strategy & Guidance	237	204	181	114	79	114
Legal	37	30	53	61	41	58
Comms	71	40	41	29	27	16
Total	345	274	275	204	147	188



3.2. Details of written enquiries received and handled

	April	May	June	July	August	Sept
Strategy & Guidance	80	108	95	108	77	72
Legal	5	15	9	8	7	3
Comms	1	53	41	104	15	32
Total	86	176	145	220	99	107



3.3. Details of enquiries received

For Strategy and Guidance the main subject areas of telephone enquiries in quarter 1 2008-09 covered allegations, framework, work not in our remit, declaration of interests, Code of Conduct - general, committee independent/parish representatives, standards committee general issues, parish general issues.

The main subject areas of written enquiries handled in during April – June 2008-09 were:

- Allegations
- Framework
- Work not in our remit
- Declaration of interests
- Code of conduct
- General, parish general interests
- Local investigations issues
- Standards Board investigations

3.4. Details of legal enquiries received

The majority of questions recently on the monitoring officer helpline have concerned local assessment. This can include:

- Confidentiality
- Alternative action
- The set up of standards and sub committees
- The content of a decision notice and who should receive a copy
- The criteria assessment sub committees should use when assessing complaints
- Monitoring officers frequently set out a complaint they have received and ask how the Standards Board would have dealt with it pre-local assessment
- Prejudicial and personal interests
- Predetermination and bias
- Independent members
- Dual-hatted members
- Register of interests

3.5. Correspondence received from MPs and handled since 1 April 2008

MP	Date received	Party
Geoffrey Cox QC MP	07/04/08	Labour
Steve McCabe MP	21/04/08	Labour
Giles Chichester MEP	24/04/08	Conservative
Colin Breed MP	03/06/08	Labour
Dan Rogerson MP	09/05/08	Liberal Democrat
Dan Rogerson MP	27/06/2008	Liberal Democrat
Paul Beresford MP	03/06/08	
Dr John Pugh MP	30/07/08	Liberal Democrat
Andrew Turner Mp	07/08/08	Conservative
Andrew Lansley MP	09/08	Conservative
Dan rogerson MP	09/08	Liberal Democrat

3.6. Parliamentary questions handled

The Standards Board assists CLG in preparing responses to parliamentary questions.

Please note that the questions received are often asked of all non-departmental public bodies. There is no unusual pattern or anything of concern from the questions asked.

MP	Date Responded	Subject
Eric Pickles	28/04/2008	How many complaints were made to the Standards Board in 2007-08 and how many were upheld in whole or in part?
Eric Pickles	01/05/2008	If complaints about breaches of the councillors' Code of Conduct can be made anonymously under the new scheme.
Neil Gerrard	09/06/2008	How many councillors have been convicted of criminal offences in each London borough since April 2006?
Jacqui Lait	08/09/2008	What obligations are local authorities are under to provide performance management information to the Standards Board?
Jacqui Lait	08/09/2008	What performance targets or indicators does the Standard Board set for local authority monitoring officers, and are these are incorporated into the National Indicator set?
Dan Rogerson	12/09/2008	How many complaints has the Standards Board for England investigated in each of the last ten years and what was (a) the outcome of the investigation and (b) the consequent action taken in each case?
Dan Rogerson	12/09/2008	What were the (a) administration and (b) average costs per case for the Standards Board for England in each of the last 10 years?
Eric Pickles	27/10/2008	Will anonymous complaints, which do not amount to an allegation of criminality, be considered under the revised standards board regime?
Eric Pickles	27/10/2008	Has a decision has been taken on the total grant to be allocated to the Standards Board and Adjudication Panel for 2008-09?
Eric Pickles	27/10/2008	What will the estimated annual budget of the Standards Board and Adjudication Panel be in each of the next three years?

3.7. Details of customer complaints

Of the ten service complaints we had between April and Sept this year, four were rejected, three were partially upheld and three were upheld.

Type of complaints	Dept related to	month received	Upheld/ rejected?
Admin error and conduct of an investigation	Referrals	April	Partially upheld
Conduct of an investigation	Investigations	April	Rejected
Staff conduct	Legal	May	Rejected
Admin error and conduct of an investigation	Referrals and investigations	June	Upheld
Admin error	Investigations	June	Upheld
SBE policy/procedure	Investigations	July	Rejected
SBE policy/procedure	Investigations	July	Rejected
Admin error	Investigations	July	Upheld
Conduct of an investigation	Investigations	Aug	Partially upheld
Conduct of an investigation	Investigations	Sept	Partially upheld

3.8. Freedom of Information Act (FOI) and Data Protection Act (DPA) requests handled

Month response due	Freedom of Information Act		Data Protection Act	
	No. of enquiries	average time taken in days	No. of enquiries	average time taken in days
Apr-08	6	12	12	29
May-08	10	11	16	31
Jun-08	12	12	14	23
Jul-08	7	9	6	25
Aug-08	1	13	5	24
Sep-08	6	2	1	1

3.8.1. FOI and DPA frequent topics

- Pre local assessment, the majority of FOI and DPA requests were for copies of the original complaint and any further material.
- Cost of an investigation.
- The cost to the taxpayer of the Standards Board.
- The number of complaints received in a certain district/town/parish.
- Equality and disability information.

4. Engagements

An engagement is where the Support and Assessment team intervene in an authority as a result of information received from the online quarterly returns, or elsewhere.

At the lower level, this may be a reminder letter with a follow up. The higher levels are tailored to the authority's particular needs, for example an ethical training event or a managed action plan.

The period covered is May to October 2008 and includes engagements based on the first but not the second round of quarterly returns.

4.1. Details on interventions

Successful engagements:	26
Ongoing engagements:	16

4.1.1. Completed support

Authority	Nature of engagement	Reason
Bridgnorth District Council	Day supporting dysfunctional standards committee with follow-up	Came to our attention when an unsatisfactory investigation report was sent to the ethical standards officer
South Kesteven District Council	Training delivered to legal team on handling investigations	A Peripatetic Investigator uncovered a resource problem, and some criticism by the Adjudication Panel for England

4.1.2. Ongoing support

Authority	Nature of engagement	Reason
Doncaster MBC	Intervention begun with IDeA supporting standards committee to improve ethical governance and member/member and officer/member relations	Press reports and an Audit Commission public interest report
Liverpool City Council	Intervention begun supporting standards committee to improve ethical governance and member/member and officer/member relations	An approach from the chair of the standards committee an Audit Commission public interest report

4.1.3. Lower level engagements

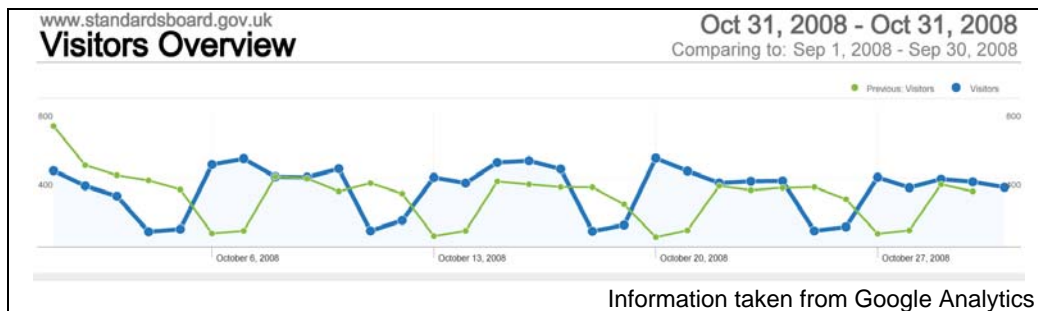
Of the 38 other engagements:

Authority	Nature of engagement	Reason
RB Kingston-on-Thames	Unlawful decision of standards committee: corrected	Complaint by subject member
Sefton Council	Questionable wording of standards committee decision and use	Complaint by MP
36 other engagements	Standard engagements based on quarterly returns	Returns not completed or standards committee not constituted properly

5. Communications

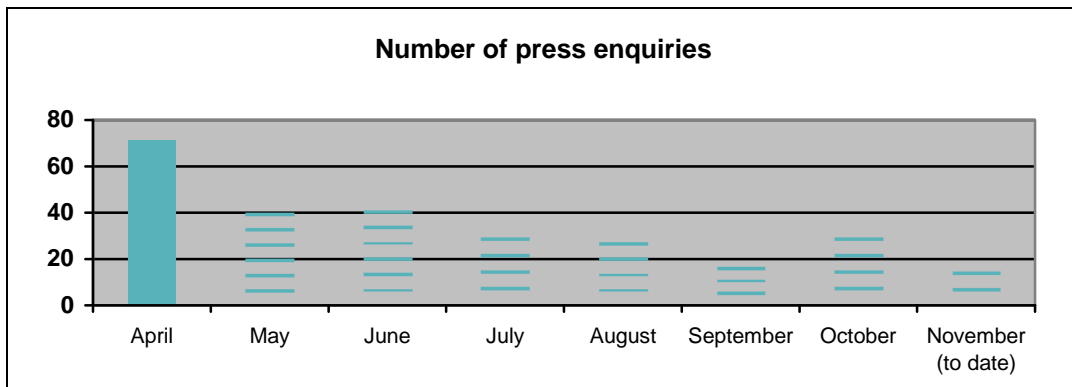
5.1. Internet figures

	August	September
Number of visits to our website	9,660	10,653
Number of unique visitors	5,659	6,474
Number of website pages viewed	55,434	53,614
Average page views per visit	5.74	5.03



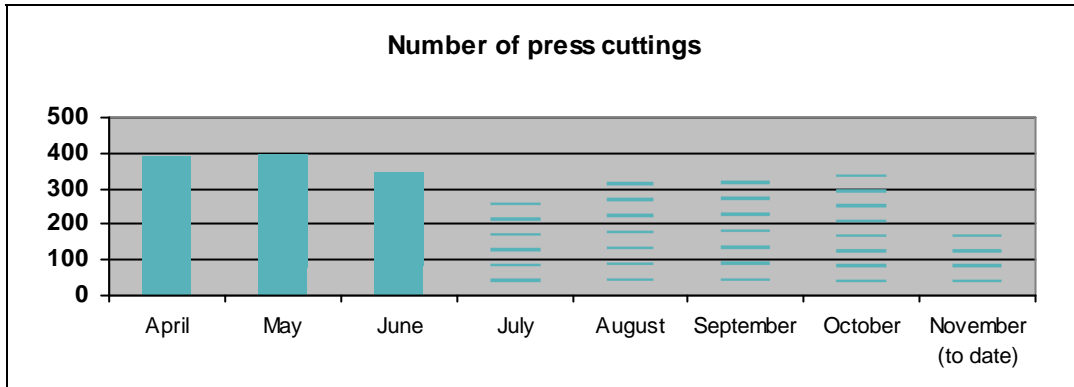
5.2. Media enquiries might be extended to include media coverage for both ourselves and the standards regime in general:

5.2.1. Number of media enquiries



	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov (to date)	Total
Number of press enquiries	71	40	41	29	27	16	29	14	267

5.2.2. Number of press cuttings mentioning the 'Standards Board' or 'standards committees' or the 'Adjudication Panel for England' or the 'Code of Conduct'.



	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov (to date)	Total
Number of press cuttings	387	395	340	260	316	322	338	169	2,527

5.3. Details of recent publications

September	October
	Case Review 2008 Digest [Online] Assembly Newsletter 1,2,3

5.4. Press releases issued

Date	Title
02 October 2008	The Standards Board for England backs Code changes
03 October 2008	More time to enter Standards and Ethics Award
08 October 2008	Seventh Annual Assembly helps to put local standards in action
15 October 2008	Standards Board conference materials now available
16 October 2008	Shortlisting begins for Standards and Ethics Award

5.5. Events managed/attended

September	October
Labour party conference Liberal Democrats party conference Conservatives party conference	Annual Assembly

5.6. Presentations made to external organisations April - October

Name of event	Organisation hosting the event	Date Start	Venue	Person Attending	Type of event	Audience
Guardian Round Table	London	22 April		Glenys Stacey and David Prince	Meeting	
Committee on Standards in Public Life	Committee on Standards in Public Life	23 April	Committee on Standards in Public Life	David Prince	Meeting	Committee members
North Kesteven Council standards committee	North Kesteven District Council	24 April	North Kesteven District Council	Glenys Stacey	Meeting	Standards committee members
Local Government Law Group	Lincoln	12 May		Glenys Stacey	Presentation	
West Midlands LGA	Birmingham	13 May		Glenys Stacey	Presentation	
Councillors' certificate	University of Sunderland	17 May	Gateshead Civic Centre	Gary Hickey and Cara Afzal	Presentation/lecture	Council members
NALC Conference	Eastbourne	20 – 22 May	Winter Gardens	Glenys Stacey and Shirley Flint	Exhibiting and presentation	
International Conference on ethics	Council of Europe	27 May	Ankara, Turkey	Gary Hickey	Conference	Turkish Council of Ethics and other public officials
North Eastern Branch of ACSeS	Gateshead Borough Council	5 June	Gateshead Civic Centre	Sara Goodwin	Branch quarterly meeting	ACSeS Members

Ethics for the prevention of corruption in Turkey		9 June	Dublin	Gary Hickey	Presentation	Turkish Council of Ethics
Session on the new local assessment	Wiltshire	19 June	The Corn Exchange, Devizes, Wiltshire	John Williams (with Jim Cessford to shadow)	Presentation	40 delegates including standards committee members and monitoring officers from County and four district councils
HAPTC Councillor's Conference 2008	Hampshire Association of Parish and Town Councils	19/06/2008	Chilworth Manor Hotel, Chilworth, Southampton	Gyl Murphy	Presentation	Parish councils
Oxford for members of Oxon and Berks standards cttees	Oxford	30 June		Hazel Salisbury	Presentation	Oxford for members of Oxon and Berks standards committees
LGA Conference	Bournemouth	30 June – 2 July	BIC	Mehboob Khan	Exhibiting	
Ethical Training day	Liverpool	15 July		Paul Hoey and John Williams	Presentation	Standards committee
Ethical Training day	Lincolnshire Standards Forum	12 September		Paul Hoey and Glenys Stacey	Presentation	Lincolnshire Standards Forum
Standards Committee training	IDeA	12 September	Stockton	Gary Hickey and John Williams	To build on current Standards Board England training with local standards committees in the Tees Valley area	Standards committee members from all the local authorities and police and fire and rescue services in the area

Newark monitoring officers training		13 September		Glenys Stacey	Presentation	
Lib Dem Party Conference	Bournemouth	13 – 18 September	BIC	Robert Chilton	Exhibiting	
Labour Party Conference	Manchester	21 – 25 September	GMEX	Robert Chilton	Exhibiting	
Conservative Party Conference	Birmingham	28 September – 1 October	Birmingham ICC	Robert Chilton Ron Watson	Exhibiting	
Ethical Governance Forum	South Lakeland DC	07 October		Hannah Pearson and James Baldwin	A session that places the code in context of wider governance and probity	Standards Committee and other members and officers
Annual Assembly	Birmingham	13/14 October	Birmingham ICC	Many	Presentation	
NW Independent Chairs Group	Preston	20 October		Richard Scott	Meeting	
LGA Independent Members Conference	Bournemouth	20 October	BIC	Glenys Stacey	Presentation	

6. Casework

Figures relating to investigations are set out in three categories:

- Investigations into allegations referred to the Standards Board by standards committees.
- Investigations into allegations made directly to the Standards Board before May 8 2008, which are being undertaken in-house.
- Investigations into allegations made directly to the Standards Board before May 8 2008, and which have been referred to monitoring officers by an ethical standards officer.

6.1. Allegations referred to the Standards Board by standards committees

Reporting period 8 May – 31 October 2008 (figures are as at end 31 October 2008 unless stated).

Number of cases referred	81
Number of cases awaiting a decision	18
Number of cases not accepted	9
Number of cases accepted	54

6.2. Reasons for non-acceptance

In all nine cases, the decision was no further action as the allegation did not disclose a breach of the Code of Conduct.

6.3. Trends

The main reason for standards committee referral to the Standards Board for England is the status of the member or complainant. It is too early to draw any other conclusions.

6.4. Allegations made directly to the Standards Board before 8 May 2008, which are being undertaken in-house

Number of cases open as at 31 October	81
Number of cases from pre 8 May open	24
Number of investigations begun in period	59
Number of investigations closed in period	83

	May	June	July	August	Sept	October
Number opened	2*	1	11**	21 (1 closed)	7	17**

*Received before 8 May

**Includes 1 received before 8 May

	Older than 12 months	6-12 months	5-6 months
Number	8 [including one set of 5 linked cases]	14 [including two sets of 3 linked cases]	9

6.5. Local investigations from pre May 8

Number of open cases referred to monitoring officers	193
Number of these that are nine months old or older	103
Number of these that are 12 months old or older	80
Number of these that have been closed in the period dated 8 May 2008 – 31 October 2008	17 final reports

Months old	3-4	4-5	5-6	6-7	7-8	8-9	9-10	10-11	11-12	>12
Number	5	8	26	9	20	22	9	2	12	80

6.6. Details of significant cases

Somerset

We have investigated three cases against the former deputy leader of Somerset County Council, which have taken significantly more than six months.

An interview transcript from one of these investigations has been copied and placed on the internet, although we have been successful in having it removed. Police are investigating the use of this confidential document. Two of the three investigations have now been completed and the third has been reviewed by our

legal department. We are now completing further work arising from that review and expect to be able to issue the draft report in the next few weeks.

Liverpool

We have two investigations ongoing relating to members of Liverpool City Council. One has now been issued in draft for the comments of the parties involved, and the other is likely to be issued in draft within the next two weeks. Unusually, because so many confidential documents have been leaked to the press at Liverpool, we have issued the full report only to the member concerned and the complainants and the monitoring officer have received findings of fact only.

Isle of Wight

We have six investigations into five members of the Isle of Wight Council and one on related issues dealing with the Shanklin Town Council. We have closed one investigation owing to the death of the member concerned. These investigations have been current just over a year. They have been subject to sustained criticism by four of the members under investigation and were the subject of an adjournment debate in Parliament brought by the local MP, criticising the conduct of the case, on 4 November. We have received a copy of a public statement of support from the current leader of the Council, who is from the same political party as are the members under investigation.

The complaint, made by the standards committee is about serious concerns over a planning application made by one councillor, which, against the Council's planning policies and not supported by officers, appeared to attract a significant and unusual degree of member support.

There are a number of factors which have caused these investigations to take longer than average: the number of members and allegations, a change of investigator, new evidence being produced suddenly in the summer and again in early October, both of which have necessitated further investigation. We are carrying out further interviews this month.

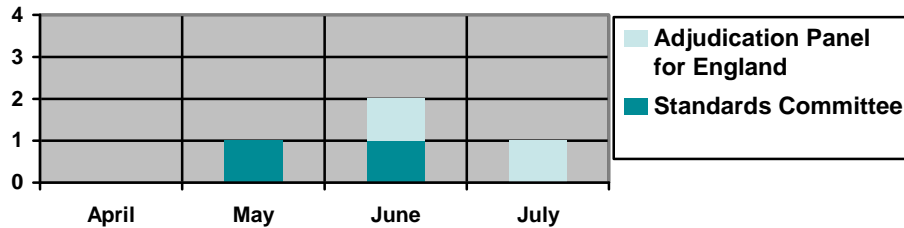
Lessons Learned

We intend to review these cases which have taken a year or nearly a year, when they are completed, with a view to learning lessons for the future.

6.7. Hearings

6.7.1. How many cases went to hearings?

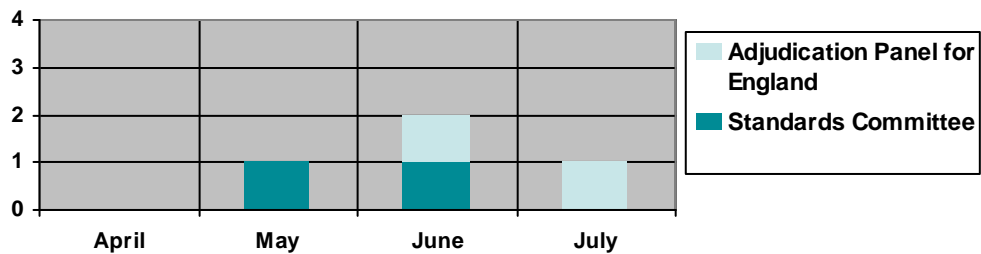
Number of cases that went to hearings



There were no further hearings during August or September

Decisions handed down 2008-2009		
Hearing Date:	Authority	Decision:
06 May 2008	Hertford Town Council	3 month suspension
12 June 2008	Wycombe District Council	1 year Disqualification
06 June 2008	High Peak Borough Council	3 month suspension and training
24 July 2008	Tresmeer Town Council	Both Councillors: 12 month disqualification

Number of hearings where the sanctions upheld 2008-2009



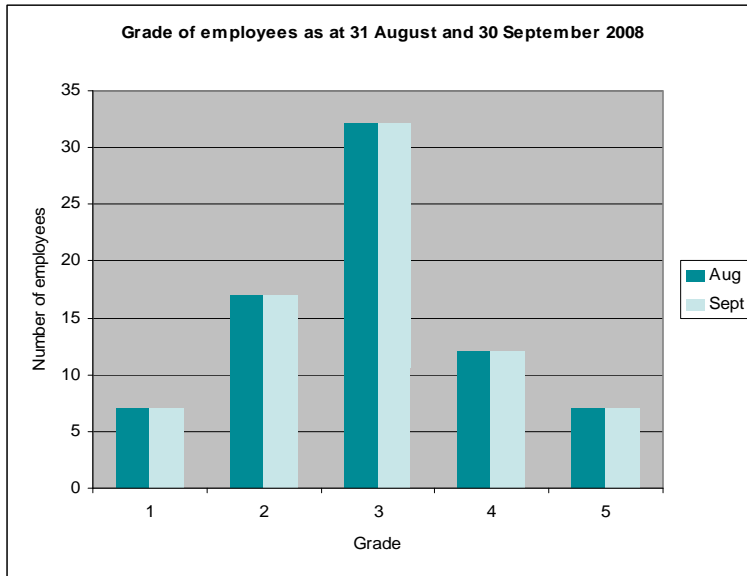
7. HR Scorecard

This information includes the Standards Board for England's HR management information for August and September 2008 (rolling 12 month figures in brackets).

7.1. Basic employment statistics

Basic employment statistics August 2008													
Department	Headcount (FTE)			Permanent		Fixed term		Maternity		Agency		Establishment	
	August 2008	Sept 2008	Rolling 12 month figure	August 2008	Sept 2008	August 2008	Sept 2008	August 2008	Sept 2008	August 2008	Sept 2008	August 2008	Sept 2008
Adjudication Panel	3	3	3	3	3	0	0	0	0	0	0	3	3
Communications	10	10	10	9	8	1	2	0	0	0	0	10	10
Client Services	19	20	19.94	17	17	1	2	1	1	1	1	21	21
Investigations	15	15	14.59	14	14	1	1	0	0	1	1	19	19
Legal	7	7	7	7	7	0	0	0	0	0	0	8	8
Strategy and Guidance	21	20	20	19	19	0	0	2	1	0	0	19	19
Total (Excluding Adjudication Panel)	72	72	71.53	66	65	3	5	3	2	2	2	77	77

7.2. Grade of employees



7.3. Sickness absence summary

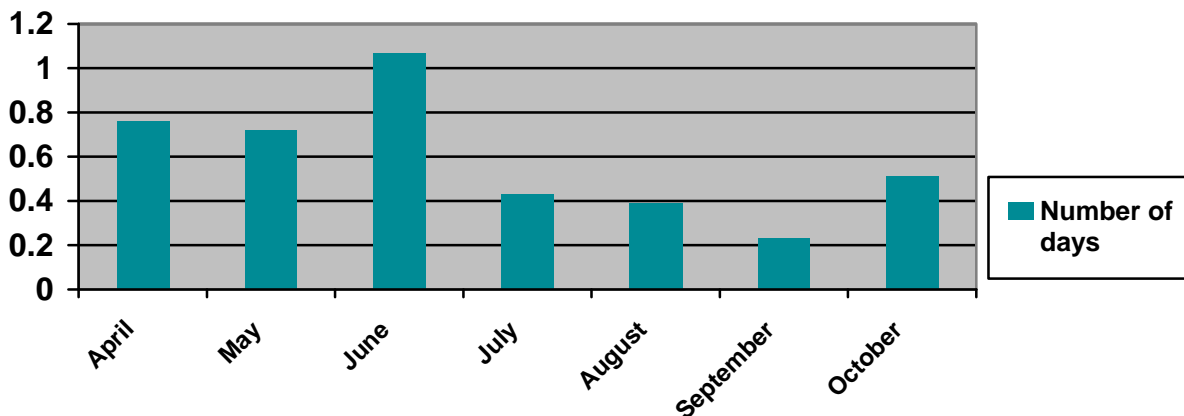
Employees hitting absence triggers*		
	6 months	12 months
Aug-08	9	5
Sep-08	8	2

***Absence triggers:**

3 episodes or more in the last 6 months
 5 episodes or more in a rolling 12 months period
 A pattern of sickness, i.e. certain times of the month – Mondays

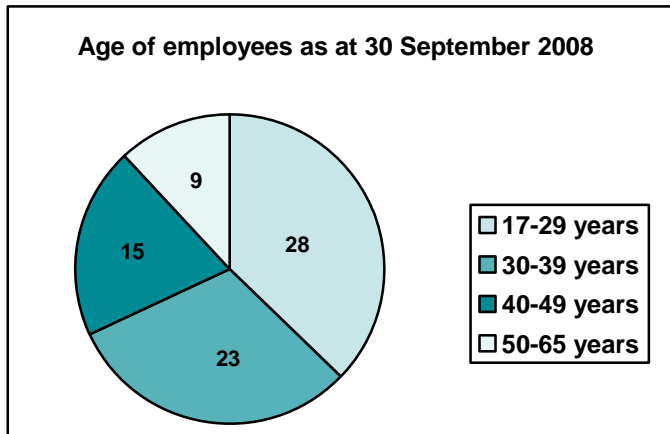
% of working days lost due to sickness	
Aug-08	2.00%
Sep-08	1.10%
Rolling 12 months	3.30%

Average working days lost to sickness per person



7.4. Diversity

	Ethnicity	Disability	Male	Female
August	17%	1%	39%	61%
September	17%	1%	37%	63%



7.5. Recruitment and retention

Attrition (over a rolling 12 month period). Attrition is measured against a target of 13.3% (Public Sector figure from CIPD Recruitment, retention and turnover report 2006)

	Average 2006/07	Average 2007/08	Aug-08	Sep-08
Leavers as a % of permanent employees in post	1.88%	4.18%	5.89%	6.31%
Leavers as a % of all employees (including agency staff)	3.21%	5.33%	7.98%	8.29%

Summary of reasons for leaving	August	September
Career progression	1	1
Did not return from maternity leave		1
Total leavers	1	2

New starters	
August	1
September	2

7.6. Training and development

Training sessions attended per month	
Aug-08	15
Sep-08	46
Cost of each employee attending training = £227.48	

8. IT systems downtime

IT systems downtime from the different IT networks and systems has been at a level of 0.1% over the last six months. In April the Adjudication Panel for England system was down briefly due to a power cut but was still up for 99.97% of the time. The Standards Board S: Drive was down slightly in June and August for a reboot and in July for system maintenance.