

**Standards Committee
Compliance / Best Practice Check list**
(Compiled 29.12.05, updated 17.02.10)

The basis for this list is the Audit Commission 2004/05 diagnostic tool "Setting High Ethical Standards" but it has been adapted for use and relevance in Devon & Cornwall Police Authority

Ref No	Issue	Legislative or best practice references	Are Devon & Cornwall Police Authority compliant?	Comments
1	Is there an established Standards Committee?		Yes	
2	Does the membership comply with legislation?	LGA 2000, S53 Chapter 1 Part 3 states that the Standards Committee must have a minimum of 3 members at least one of whom must be independent; If there are more than 3 members at least 25% of them must be independent (SI 2001 No 2812) Standards Board recommends that there should be at least 2 independent members.	Yes	<ul style="list-style-type: none"> • The Standards Committee currently has 6 members 2 of whom are independent members of the committee. The Members of the Authority who sit on the Committee are 3 Councillors, 1 Independent member. • The Police Authority agreed at its meeting on 30 June 2006 (Minute P1168) that the Committee should comprise a maximum of 7 members. The intention was that there would be 3 Independent members and 4 members of the Authority.
3	How were the independent members appointed?	Standards Board Guidance states: <ul style="list-style-type: none"> • Advertise in at least 1 local paper • Applicants to complete an 	Yes	<p>For full details see file M/10/7</p> <ul style="list-style-type: none"> • Adverts were placed in papers throughout Devon & Cornwall. In addition a number of organisations representing minority groups were notified. Applications were only accepted on the Authority's

		<p>application form</p> <ul style="list-style-type: none"> • Open appointment • Appointments approved by the majority of members <p>Legislation states</p> <ul style="list-style-type: none"> • should not have been a member or employee of the PA for 5 years prior to appointment • be a relative or close friend of any member or employee of the Authority 		<p>application form designed for the recruitment process. All applications were anonymised and then shortlisted for interview by a panel of 3 members. An interview process was conducted with the shortlisted applicants. The interview panel's recommendations were presented to the Authority on 30.11.05 and approved at that meeting.</p> <p>• At its meeting on 11 December 2009 the Authority agreed to reappoint Mrs Anne Mayes for a period of 4 years and Mr Martin Harvey for 2 years (minute P2389) this was to enable the Authority to consider the new Regulations regarding joint working and decide how it wishes to operate the Standards Committee and ethical matters in the future.</p>
4	Who Chairs the Standards Committee?	It is considered good practice to appoint an independent Chair.	Yes	The Committee is chaired by an Independent member and the Vice-Chairman is also an Independent Member.
5	Does the Terms of Reference for the Standards Committee include	S54 LGA 2000	Yes	The Terms of Reference for the Committee are included in the Authority's Constitution
	<ul style="list-style-type: none"> • Advising on the adoption of a local code which sets out the standard of conduct expected from members • Promoting and maintaining high standards of conduct 			

	<p>within the authority through assistance, advice and training</p> <ul style="list-style-type: none"> Monitoring operation of the local code 			
6	Have the Terms of Reference been submitted to the Standards Board?	S53 LGA 2000	Yes	Letter sent to Standards Board 16.01.06 (copy on file C/20/11/1)
7	Has the Authority adopted the members Code of Conduct locally?	S52 LGA 2000	Yes	Yes - new Code of Conduct adopted 5 October 2007
8	Have all members signed the Code?	S52 LGA 2000		All Members have now signed the declaration
9	Has the member code been changed from the model code in any way?			The New Model Code as it applies to Police Authorities was adopted by the Authority at its meeting on 5 October 2007
10	Have any linkages been made between the Code, the Human Rights Act, the Freedom of Information Act?			Not directly. The Authority is offering all members the opportunity to attend training on the Human Rights Act in March 2010.
11	Are copies of the code available to the public at the office at all reasonable hours?	S51 LGA2000	Yes	The Code of Conduct is part of the Authority's Constitution and is published on the Authority's website
12	Has the adoption of the Code been published in at least one local newspaper?	S 52 LGA 2000	Yes	Yes - Western Morning news 23.11.07, copy filed on C/20/11/3
13	Was a copy of the Code sent to	S51 LGA 2000	Yes	Yes letter and Code sent 22.10.07- copy filed on

	the Standards Board?			C/20/11/1 and C20/11/3
14	Has the Standards Committee undertaken an assessment of the standards of conduct within the Authority?			No
15	Has the Standards Committee given consideration to how it might use internal and external auditors or committee administration to promote higher ethical standards across the Authority?			<ul style="list-style-type: none"> • Members of the Authority's staff attended the Code of conduct Training provided by Richard Lester on 8 October 2007 • Email sent to Audit commission & internal audit 24.05.08 • The induction programme for new authority members includes a session on ethical standards and the code of conduct
16	What mechanisms does the Standards Committee have in place to publicise guidance / case rulings published by the Standards Board?			All Members of the Authority are sent copies of the Standards for England publication "Bulletin"
17	Have all members received adequate training about the requirements and expectations of the Code of Conduct?		Yes	Training was offered to all members and provided on 8 October 2007. members who did not attend the training were offered the opportunity of training with Plymouth City Council

18	What provision is made for training for new members of the Authority?		Provision is made for training new authority members	<ul style="list-style-type: none"> ● A record has been kept of those Members and Officers who have attended training. ● The Member Handbook (section 9) includes information on the Code of Conduct ● The induction programme for new authority members includes a session on ethical standards and the code of conduct
19	Do Members of the Standards Committee participate in networking and training opportunities?		Yes	<ul style="list-style-type: none"> ● Independent Members attend meetings of the South West Independent Members Group. ● The Authority has sent Officers and Members to the Standards Board for England National Conference in 2005 & 2006 & 2007, 2008 and 2009 ● The Authority was represented at the Standards Board roadshows / consultation on the new Code of Conduct in 2005 and at the roadshows in 2007. ● The Standards Committee Chair attends meetings of the full Police Authority to report on the committee's activities. ● Training sessions have been provided on hearing procedures and the Code of Conduct and have been offered to other Police Authorities and the Fire and Rescue authority ● All Members have been offered the chance to see the Standards Board DVD (email 10.06.08) ● The DVD "Assessment Made Clear" was shown to members of the Standards Committee after their meeting on 11 November 2009.

20	Does the Standards Committee have mechanisms in place to promote high standards of ethical behaviour amongst members?			<ul style="list-style-type: none"> • It was felt at the Meeting on 20.02.09 that the Chairman's attendance at PA meetings and other appropriate meetings would enable the Committee to have the appropriate level of oversight of ethical behaviour amongst Members. • The Chair and Vice-Chair of the Standards Committee attend the full Authority on a regular basis. • The Standards Committee Chair has meetings with the Authority Chair and the Acting Chief Executive
21	Do employees who provide support to members understand the Code of Conduct and the role of the Monitoring Officer?		Yes	The Chief Executive has provided a training session at staff meetings and this was further enhanced by Officers attending training on the Code of Conduct in October 2007.
22	Does the Standards Committee play a proactive role in communicating the themes of the Code of Conduct to all Members?			<ul style="list-style-type: none"> • All Members receive the Standards Board "Bulletin" <ul style="list-style-type: none"> • The minutes of the Standards Committee are presented to the full Authority
23	Does the Standards Committee proactively communicate themes of the code to its external stakeholders / partners / clients / communities?		Yes	<ul style="list-style-type: none"> • A leaflet is available to explain the Committee's role; this is based on the format of a similar leaflet published by the Cornish local authorities. The leaflet has been distributed to libraries throughout the area covered by the Authority. The leaflet is available on the authority's website

				<ul style="list-style-type: none"> • The complaints process is publicised on the Authority's website –. • The Standards Committee meetings are webcast
24	Has the Standards Committee given any consideration to how it will carry out investigations, should it receive a referral from the Standards Board?		Yes	<ul style="list-style-type: none"> • Procedures for the Hearing Panel have been agreed by the Standards Committee and are available on the Authority's website. (Other local authorities have requested copies so they can include some of the content in their own procedures.) • Members of the Standards Committee have attended training in hearing procedures. (The training was organised by the police authority and offered to other Police Authorities in the South West and other public bodies in Devon, Cornwall and the Isles of Scilly) <ul style="list-style-type: none"> • The guidance from the Standards Board on conducting investigations would be followed
25	Has a register of interests been set up?	S81 LGA2000	Yes	<ul style="list-style-type: none"> • Members were asked to complete a new Register Form following adoption of the new code on 5 October 2007 and are reminded annually to update
26	Is the register open to public scrutiny and easily accessible?		Yes	

27	Has a public register for gifts and hospitality been set up?		Yes	<p>the information.</p> <ul style="list-style-type: none"> • Register of Interest forms and updates are available on the Authority's website under each individual member's profile. Details of gifts and hospitality that have been declared are available in the same way.
28	<p>Does the register of interest form require members to record</p> <ul style="list-style-type: none"> • Their jobs • The name of their employer • The name of any company of which they are a director or a partner • The name of any person who has made payment to them in respect of their appointment as a member or expenses they have incurred in carrying out their duties • The name of any corporate body in which they have a shareholding of more than £25K (face value) or have a stake of more than 1/100th in the company • Landholdings in the area • Land leased or licensed from 		Yes	

	<p>the Authority</p> <ul style="list-style-type: none"> • Membership of, or position of control or management in: <ul style="list-style-type: none"> ○ Other bodies where they represent the authority ○ Other public authorities ○ Companies, industrial and provident societies and charitable bodies ○ Private clubs ○ Bodies whose main purpose is to influence public policy or opinion ○ Trades unions or professional associations ○ 			
29	Do members understand the difference between personal and prejudicial interests?			<ul style="list-style-type: none"> • Training on the new Code of Conduct on 5 October 2007 addressed this issue. • Code of Conduct training including the different types of interest is included in the Member introduction event • Information is provided in the Member handbook.
30	How rigorously are declarations of interest applied and monitored?			<ul style="list-style-type: none"> • Every meeting agenda has a standard item for declarations of interest. • Members are reminded annually of the need to update their register of interest forms. • A page is issued with all committee agendas showing

				a flow diagram about declaring interests
31	Is it clear if members can seek a dispensation allowing them to take part in meetings where they have a prejudicial interest?	The Relevant Authorities (Standards Committee) (Dispensations) Regulations 2001. – where over 50% of the members of the authority or Committee would be prevented from taking part because of prejudicial interests.	Yes	The granting of dispensations is contained within the terms of reference for the Standards Committee
32	Has any thought been given to the role of the Monitoring Officer in investigations?		Yes	It is understood that the Monitoring Officer could not both conduct an investigation and advise the Standards Committee in the same case. There is some limited scope within the Police Authority for being able to undertake both the investigation and advice roles. It is likely that external assistance would be sought either from a Council within the area of from a firm of solicitors.