

**Standards Committee  
Compliance / Best Practice Check list  
(Compiled 29.12.05, updated 16.09.08)**

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 Standards Board recommends that there should be at least 2 independent members.	Yes	The Standards Committee currently has 6 members 2 of whom are independent. The Members of the Authority who sit on the Committee are 2 Councillors, 1 Lay Justice and 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.  This may need to be reviewed as part of the Authority's review of its decision making process and when new regulations regarding Local Filtering are implemented.
3	How were the independent members appointed?	Standards Board Guidance states:	Yes	For full details see file M/10/7 Adverts were placed in papers throughout Devon & Cornwall. In addition a number of organisations

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		<ul style="list-style-type: none"> <li>• Advertise in at least 1 local paper</li> <li>• Applicants to complete an application form</li> <li>• Open appointment</li> <li>• Appointments approved by the majority of members</li> </ul> <p>Legislation states</p> <ul style="list-style-type: none"> <li>• should not have been a member or employee of the PA for 5 years prior to appointment</li> <li>• be a relative or close friend of any member or employee of the Authority</li> </ul>		<p>representing minority groups were notified. Applications were only accepted on the Authority's 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>
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 <ul style="list-style-type: none"> <li>• Advising on the adoption of a local code which sets out the standard of conduct expected from members</li> <li>• Promoting and maintaining high standards of conduct within the authority through assistance, advice and</li> </ul>	S54 LGA 2000	Yes	

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	<p>training</p> <ul style="list-style-type: none"> <li>Monitoring operation of the local code</li> </ul>			
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		Members were sent copies of the new the Code and asked to sign the declaration on 15 October 2007
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.
11	Are copies of the code available to the public at the office at all reasonable hours?	S51 LGA2000	Yes	The new code will be available on the Authority's website and the originals are filed in the Police Authority office
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 the Standards Board?	S51 LGA 2000	Yes	Yes letter and Code sent 22.10.07– copy filed on C/20/11/1 and C20/11/3
14	Has the Standards Committee			No

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	undertaken an assessment of the standards of conduct within the Authority?			
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?			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
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 Board for England "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?			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

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19	Do Members of the Standards Committee participate in networking and training opportunities?		Yes	<p>The Authority is an active member of the Cornish Ethical Standards Forum.</p> <p>Independent Members attend meetings of the South West Independent Members Group.</p> <p>The Authority has sent Officers and Members to the Standards Board for England National Conference in 2005 &amp; 2006 &amp; 2007 and places have been booked for 2008.</p> <p>The Authority was represented at the Standards Board roadshows / consultation on the new Code of Conduct in 2005 and at the roadshows in 2007.</p> <p>The Standards Committee Chair attends meetings of the full Police Authority to report on the committee's activities.</p> <p>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</p> <p>All Members have been offered the chance to see the Standards Board DVD (email 10.06.08)</p>
20	Does the Standards Committee have mechanisms in place to promote high standards of ethical behaviour amongst members?			No

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21	Do employees who provide support to members understand the Code of Conduct and the role of the Monitoring Officer?			<p>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</p>
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"> <li>• All Members receive the Standards Board "Bulletin"</li> <li>• <b>The minutes of the Standards Committee will be presented to the full Authority</b></li> </ul>
23	Does the Standards Committee proactively communicate themes of the code to its external stakeholders / partners / clients / communities?		Yes	<p>A leaflet has been prepared 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 and a press release was issued to announce the leaflet's availability.</p> <p><b>This leaflet needs to be updated following implementation of the local filter. The complaints process needs to be publicised on the Authority's website – commenced 16.09.08.</b></p>
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"> <li>• Procedures for the Hearing Panel have been agreed by the Standards Committee and are available on the Authority's website.</li> </ul> <p>(Other local authorities have requested copies so they can include some of the content in their own procedures.)</p>

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				<ul style="list-style-type: none"> <li>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)</li> <li>The guidance from the Standards Board on conducting investigations would be followed</li> </ul>
25	Has a register of interests been set up?	S81 LGA2000	Yes	Members have been asked to complete an new Register Form following adoption of the new code on 5 October 2007
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	
28	<p>Does the register of interest form require members to record</p> <ul style="list-style-type: none"> <li>Their jobs</li> <li>The name of their employer</li> <li>The name of any company of which they are a director or a partner</li> <li>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</li> <li>The name of any corporate</li> </ul>		Yes	Yes

	<p>body in which they have a shareholding of more than £25K (face value) or have a stake of more than 1/100<sup>th</sup> in the company</p> <ul style="list-style-type: none"> <li>• Landholdings in the area</li> <li>• Land leased or licensed from the Authority</li> <li>• Membership of, or position of control or management in: <ul style="list-style-type: none"> <li>○ Other bodies where they represent the authority</li> <li>○ Other public authorities</li> <li>○ Companies, industrial and provident societies and charitable bodies</li> <li>○ Private clubs</li> <li>○ Bodies whose main purpose is to influence public policy or opinion</li> <li>○ Trades unions or professional associations</li> <li>○</li> </ul> </li> </ul>			
29	Do members understand the difference between personal and prejudicial interests?			Training on the new Code of Conduct on 5 October 2007 addressed this issue.
30	How rigorously are declarations of			<ul style="list-style-type: none"> <li>• Every meeting agenda has a standard item for</li> </ul>

	interest applied and monitored?			<p>declarations of interest.</p> <ul style="list-style-type: none"> <li>• Members are reminded annually of the need to update their register of interest forms.</li> <li>• A new page is being issued with all committee agendas showing a flow diagram about declaring interests</li> </ul>
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 (possibly through the Cornwall Standards Forum) or from a firm of solicitors.