

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

1 September 2008

Standards Committee Work Programme 2008

1.0 PURPOSE OF REPORT

- 1.1 To consider the Committee's Work Programme.

2.0 BACKGROUND

- 2.1 At each of its meetings, the Standards Committee reviews its programme of work. The current Work Programme is attached at Appendix 1 for ease of reference.
- 2.2 The Work Programme incorporates action points from the Ethical Audit Action Plan.

3.0 WORK PROGRAMME

- 3.1 The entries for this meeting of the Committee have been amended by deferring the item re the Complaints and Ethical Indicators Report until the next full meeting of the Committee.
- 3.2 Members are requested to consider the Work Programme and whether they would wish to make any changes or include any other items.
- 3.2.1 One area which Members may wish to add to the Work Programme, given the ethical dimension, is that of Council procedures for employee surveillance under regulatory powers in the Regulation of Investigatory Powers Act 2000 ("RIPA") and under the Data Protection Act 1998.
- 3.2.2 Not all surveillance of employees is covered by RIPA. Local authorities can only undertake 'directed surveillance' under RIPA for the purposes of crime prevention, detection and preventing disorder. Even then, it must be for a core authority function linked to a regulatory function, eg trading standards.
- 3.2.3 In terms of the Council's procedures in this regard, an application for authorisation to carry out directed surveillance under RIPA must be made by an assistant chief officer or the officer in charge of the investigation (head of the relevant service). The application is made to the Council's Trading Standards and Regulatory Services and any authorisation must be made in accordance with the Act. Authorising officers should not be responsible for authorising matters in which they are directly involved. Any authorisation given makes the surveillance lawful for all purposes and there is no civil liability for any incidental conduct.
- 3.2.4 Council Directorates report to Trading Standards and Regulatory Services every quarter on how often they use surveillance procedures. This information is firstly collated by Legal and Democratic Services. Six monthly audit reports are also collated and forwarded to Trading Standards and Regulatory Services for their records. The Council is periodically audited by the Surveillance Commissioner and on the two occasions that the Council has been audited, it has been praised by the auditor.

3.2.5 Where surveillance is not being conducted for the purposes of the prevention or detection of crime, then this falls outside the RIPA regime, and is dealt with by Internal Audit under the provisions of the Data Protection Act 1998.

3.2.6 Members are requested to consider whether they wish to add an item to the Committee's future Work Programme to enable the Committee to consider any standards implications re the Council's procedures and activity regarding employee surveillance.

3.3 A full Work Programme for 2009 will be submitted to the next meeting of the Committee.

4.0 RECOMMENDATIONS

4.1 That Members consider this report and review the Standards Committee's Work Programme.

CAROLE DUNN

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Background Documents:

The Regulation of Investigatory Powers Act 2000

County Hall
NORTHALLERTON

19 August 2008

WORK PROGRAMME FOR STANDARDS COMMITTEE - 2008

MEETING	ITEM	REPORT REQUIRED	ETHICAL AUDIT ACTION PLAN REFERENCE	COMMUNICATIONS STRATEGY ACTION PLAN REFERENCE	COMPLETED ?
14 January 08	Members' Register of Interests on Website.	Progress report.		Obj 1, Action 4	√
	SBE Case Review 2007	Information report.			√
	Review advice to officers and Members in relation to membership of Outside Bodies and potential conflicts	Suggested amendments to guidance document.			√
	Training	Progress report.			√
	Community Fund Allocation Dispensations	Update report.			√
	Citizen's Panel Questionnaire Results	Information report.			√
	Feedback from Independent Members' Forum	Information report.			√
	*Complaints and findings from the Standards Board	Standing report in relation to complaints relevant to NYCC, recent findings and developments nationally.		Obj 5	√ (ongoing)
	Work Programme for 2008	Setting out draft Programme for approval.			√
3 March 08	Officers' Code of Conduct and Register of Interests.	Progress report.		Obj 5, Action 1	(ongoing)

MEETING	ITEM	REPORT REQUIRED	ETHICAL AUDIT ACTION PLAN REFERENCE	COMMUNICATIONS STRATEGY ACTION PLAN REFERENCE	COMPLETED ?
	New Protocol on Gifts and Hospitality	Setting out draft new Protocol for Committee's consideration.			√
	Corporate Complaints and Compliments Report	Periodic report from Chief Executive's Unit.			√ (ongoing)
	*Complaints and findings from the Standards Board	Standing report.		Obj 5	√ (ongoing)
	Work Programme	Standing report.			√ (ongoing)
2 June 08	Annual Report of Standards Committee	Report presenting draft Annual Report, to be presented to meeting of County Council on 23 July 2008.			√
	Local filtering of complaints <i>(deferred from March meeting)</i>	Update report re progress of legislation.			√ (ongoing)
	Members' Attendance at Committees <i>(deferred from March meeting)</i>	Periodic report from Head of Committee Services.			√ (ongoing)
	Council's statement re standards <i>(deferred to September meeting)</i>	Periodic update report as to use made of statement.			

MEETING	ITEM	REPORT REQUIRED	ETHICAL AUDIT ACTION PLAN REFERENCE	COMMUNICATIONS STRATEGY ACTION PLAN REFERENCE	COMPLETED ?
	Statement re role of senior managers in ethical framework <i>(deferred to September meeting)</i>	Periodic update report as to use made of statement.			
	Council's ethical statement for stakeholders. <i>(deferred to September meeting)</i>	Progress report on how statement is being used.			
	CEO and Leader general ethics statement <i>(deferred to September meeting)</i>	Progress report on how statement is being used.			
	Committee's Communications Strategy	Review effectiveness of Strategy.			√ (ongoing)
	*Complaints and findings from the Standards Board	Standing report.		Obj 5	√ (ongoing)
	Work Programme	Standing report.			√ (ongoing)
1 September 08	Training Plan 2009	Setting out suggestions for training for next year and including attendance at recent standards training and results of training audit.			

MEETING	ITEM	REPORT REQUIRED	ETHICAL AUDIT ACTION PLAN REFERENCE	COMMUNICATIONS STRATEGY ACTION PLAN REFERENCE	COMPLETED ?
	Council's statement re standards <i>(deferred from June meeting)</i>	Periodic update report as to use made of statement.			Possibly include all agreed statements in an NY Times article?
	Statement re role of senior managers in ethical framework <i>(deferred from June meeting)</i>	Periodic update report as to use made of statement.			
	Council's ethical statement for stakeholders. <i>(deferred from June meeting)</i>	Progress report on how statement is being used.			
	CEO and Leader general ethics statement <i>(deferred from June meeting)</i>	Progress report on how statement is being used.			
	Complaints and Ethical Indicators Report <i>(deferred to next meeting)</i>	Periodic report from Chief Executive's Unit.			
	Independent Member appointment 2009	To consider the position of the Chairman's term of office which will end in May 2009.			
	*Complaints and findings from the Standards Board	Standing report.		Obj 5	√ (ongoing)

MEETING	ITEM	REPORT REQUIRED	ETHICAL AUDIT ACTION PLAN REFERENCE	COMMUNICATIONS STRATEGY ACTION PLAN REFERENCE	COMPLETED ?
	Work Programme	Standing report.			√ (ongoing)
10 November 2008	Feedback from Annual Assembly TRAINING SESSION or possible independent Member interviews?				

Items to be reported back:

<u>Item</u>	<u>Action Required</u>	<u>Current Progress</u>	<u>Report to which future meeting?</u>	<u>Completed?</u>
Officers' Code of Conduct and Register of Interests.	Periodic update reports required.	Ongoing roll out of Register.		
Historical registration of Members' Interests forms – retention period.	To update Members after further consultation with other authorities and the Council's Data Protection Officer.	Consultation in hand.		
Council's statement re standards	Periodic update reports as to use required.			
Statement re role of senior managers in ethical framework	Periodic update reports as to use required.			
Statement for stakeholders	Periodic update reports as to use required.			

Standards Training (Members and Officers)	Periodic review of Training Plan and training delivered.			
Online standards documentation	Update standards information on NYCC website and intranet			
Monitor use of dispensations granted by Committee	Periodic reports to be submitted to the Committee.			
Annual Report of Standards Committee	Annually.			
Annual review of Ethical Audit Action Plan (end of year)	Annually.			
Members' Attendance at Committees	Periodic reports to be submitted to the Committee.			
Committee's Communications Strategy	Review periodically.			
Independent Member appointments	When required.			
Citizens' Panel Questionnaire	Repeat exercise every few years.			
Standards Bulletin	Periodic Bulletins throughout the year.			