

# Ethical Governance – follow up

Westminster City  
Council



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December 2009

 **audit**  
commission

# Background to work



# The story so far

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Work in 2005/6 showed a strong focus on ethical arrangements but we found that:

- Members were better informed than some senior officers
- Standards Committee's remit was relatively narrow
- Work was underway on meeting the needs of diverse communities

We made seven recommendations for improvement

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# Purpose of our 2009 work

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To review progress on our 2005/6 recommendations

We used:

- Survey of Members and officers
- Questionnaire for the Monitoring Officer
- Limited number of interviews.

# Progress on our 2005/6 recommendations



# Recommendation 1: Scrutiny's role in meeting the needs of diverse communities

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- Citizens and Business Policy and Scrutiny Committee has clearer focus on diverse communities
- Scrutiny capacity has increased through task groups, extra resources, etc
- More direct input from residents/stakeholders
- Further review underway to make scrutiny more independent of the Executive

**Good progress being made**

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# Recommendation 2: Using skills of Members who aren't office holders

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- They contribute increasingly to Policy and Scrutiny and Area Forums
  - Active as 'ward champions' since ward level budgets introduced
  - Involved in £2m worth of local projects
  - Ward budgets now under review
  - Some Members still feel excluded, but less so than previously

**Some progress made**

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# Recommendation 3: Management of diversity

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- March 2009 Office for Public Management concluded diversity moved up Council's agenda and raised performance
  - Council reviewing corporate leadership Single Equality Scheme from April 2010
  - New equalities governance group from October 2009, chaired by Chief Executive
  - Westminster Equalities Partnership (part of LSP) taking forward agenda
  - Departmental Diversity Coordinators now in place

**Good progress being made**



# Recommendation 4: Size, Membership and chairing of the Standards Committee

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- Expanded to 12 Members, four independent Members, one of whom chairs Committee
- Considers annual report on ethical governance issues
- Members receive formal and informal training about their role

**Good progress made, but not clear what impact changes have had**

# Recommendation 5: Terms of reference of the Standards Committee

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- SC now determines complaints and receives annual report on ethical governance issues
  - Receives Council's annual governance statement
  - Questions senior officers on issues such as complaints
  - Whistleblowers can now go direct to the Chair of SC
  - Chief Executive and Monitoring Officer attend meetings
  - SC has suggested it should maintain an overview of ethical standards across the Council – both officers as well as Members

**Good progress made, but not clear what impact changes have had**

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# Recommendation 6: Officers' conflicts of interest and gifts and hospitality

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- Gifts and hospitality register now on-line and reviewed and monitored regularly
- Departments keep registers of officers' 'out of work' activities and pecuniary interests
- Officers on tender evaluation panels must demonstrate they have no personal interests

**Good progress made**

# **Recommendation 7: Disseminate Council's approach to high ethical standards and behaviour, including to contractors**

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- 2009/10 improvement plan covers actions to raise awareness of Council policies, including ethics
- Transition to new organisational model carries some risks – work underway to minimise these
- Constitution, scheme of delegation etc being reviewed
- Further awareness raising to be provided

**Some progress made but still low awareness of Council's approach by some contractors**

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# Findings from 2009 survey and Monitoring Officer questions

**Covers four aspects of ethical agenda:**

- **Balancing rules and trust**
- **Independent overview**
- **Leadership**
- **Transparency**



# The survey

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- **Survey run between July and September 2009**
  - **Sent to 59 Members and 120 officers**
  - **53 responses were received**
  - **23 from Members (response rate of 38% ) and**
  - **30 from officers (response rate of 25%)**

# Balancing rules and trust – issues from survey respondents (1)

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Procedures are clear and generally well understood

Members and officers uphold principles of public life

Members and officers work well together to achieve goals

Members listen to officer advice

But there may be some issues about trust

# Balancing rules and trust – issues (2)

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Some Members and many senior officers not sure

- how appropriately allegations of Member misconduct made
- how safe to make allegations of misconduct

Some senior officers not sure

- whether Members always abide by Members' code of conduct



# Independent overview – issues from survey respondents

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Many officers and some members don't know what the SC does and if it makes a difference

They are not clear about its role in upholding the code of conduct

Some officers don't know if new Members and officers receive guidance on ethics and standards

Overall, role of SC not universally well understood

# Leadership – issues from survey respondents (1)

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Chief Executive and Monitoring Officer actively involved in ethical agenda, but MO's role not widely understood

Most respondents feel organisation's values reasonably well communicated...

... but less convinced the importance of high ethical standards are well communicated

Some respondents not clear how Council promotes high ethical standards and is building public confidence in Council

Most feel Council seeks to meet needs of diverse communities but not all officers are appropriately skilled

# Leadership – issues (2)

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Many respondents say people ‘usually’ or ‘sometimes’ (not ‘always’) treat each other and service users fairly

Some consider that Members don’t always receive appropriate advice on equalities/human rights

Chief Executive seen as positive role model for ethical governance

# Transparency – issues from survey respondents (1)

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Much information (including Members' interests) on Council's website, but not all Members and officers consider the public can find it

Respondents not all convinced that communication between Members and officers (and between Members and between officers) is always open and constructive

Some issues about culture – confidence to challenge decisions without fear of reprisals

# Transparency – issues (2)

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Complaints arrangements generally clear and usually taken seriously

Some officers don't know if Council's whistleblowing policy is used appropriately and without fear of reprisal

Some officers not confident about challenging inappropriate Member behaviour and not convinced that Members who behave inappropriately are suitably dealt with

# Summary

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Good progress made acting on recommendations from previous work

Main issues from this work

- How successful is Council in actively promoting high ethical standards, both inside Council and in wider world?
- How can the Standards Committee raise its profile and have more impact, including externally?
- How well do Council's processes ensure appropriate behaviour?
- How is Council tackling inappropriate behaviour and helping people feel confident about complaints process?

# Areas for recommendations – for discussion

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Developing trust between Members and officers, including importance of challenge

Clarifying Council's zero tolerance of inappropriate behaviour and positive support for complainant

Raising profile of MO and widening role of Standards Committee

Communicating importance of high ethical standards, including to contractors and outside Council

Training/guidance on equalities, diversity and human rights and skilling up officers

# Next steps

To agree formally our  
recommendations and  
action plan

