

**Agenda item:**



**Walsall Council**

## **Standards Committee**

**5 January 2009**

### **Standards Local Assessment of Complaints Training Session – 31 July 2008**

#### **Summary of Report**

This report advises the Committee of the training session held on 31 July 2008, delivered by Pinsent Masons on Standards – Local Assessment of Complaints. The course was open to all elected, independent and co-opted members.

#### **Recommendations**

- (1) That the content of the report be noted

#### **Resource Considerations:**

##### **Financial:**

None arising from this report

##### **Legal:**

None arising from this report

##### **Staffing:**

None arising from this report

##### **Citizen Impact:**

None arising from this report

##### **Community Safety:**

None arising from this report

**Environmental:**

None arising from this report

**Performance and Risk Management:****Risk:**

The risk of members not being trained could lead to unsafe decision making

**Performance Management:**

None arising from this report

**Equality Implications:**

This report complies fully with the Council's policies on equality and diversity

**Consultation:**

None arising from this report

**Background papers**

All published

**Signed:**

**Assistant Director of Legal and Constitutional Services**

**Date:** 10 December 2008

**Contact Officer**

Jo Whitehouse  
Member Services Officer

☎ 01922 652025

✉ [whitehousejl@walsall.gov.uk](mailto:whitehousejl@walsall.gov.uk)

## Background

At the end of June all elected members of the Council, independent and co-optees were invited to attend a day long training course on elements of the standards regime. A total of fifteen positive responses were received to the invitation

- 11 from elected members,
- 3 from independent members of the Standards Committee and
- 1 from a co-opted member of the Scrutiny Panel.

On the day of the training session, only nine responders attended which comprised of

- 7 elected members
- 2 independent members of the Standards Committee.

## Programme:

The training session comprised of a full day which was split into a refresher looking at the Code of Conduct and bias, predetermination and predisposition in the morning and reviewing local assessments in the afternoon. The day was interspersed with case studies and group work which reinforced the formal tuition from Pinsent Masons.

The first session covered a refresher on the Code of Conduct looking at the Code and its purpose, general principles of public life and when the code applied, key provisions (which included personal and prejudicial interests) and bias, predetermination and predisposition.

The second session covered local assessment of complaints and answered the question - what is local assessment? This presentation included detail on the background and duties under the new local assessment regime (incorporating the scope of the 2008 regulations, appointments, sub committees, publicity, initial pre-assessment tests and assessment criteria), outcomes (which included initial assessment decisions, referral for local investigation, hearings and findings by Standard Committees, sanctions, notifications and appeals, referrals and examples of further actions) and other issues arising from the change in procedure (which included access to meetings and decision making, withdrawing complaints, conflicts of interest – members and officers and dual-hatted members)

Following the mid morning break, the group split into two and looked at case studies around the earlier presentations. This encouraged discussion and interaction by all elected and independent members present.

The afternoon session covered the subject of reviewing local assessments with the presentation answering the two key questions of what is a review and what is the effect of a review request? This session also looked at the work of the Review Sub Committee and notification.

Following this session, the group split into two groups and again looked at case studies relating to reviewing local assessments which encouraged participation by all elected and independent members present.

The final session of the afternoon comprised of group discussion and feedback, including question and answers on fairness to individual v public interest, numbers of witnesses, late evidence, adjournments, new issues arising and failure of complainee to appear.

### **Feedback and review:**

Following the course, attendees were invited to complete "Feedback Forms".

Overall, members thought that the day was useful and provided general advice which they could pass onto their fellow councillors. Members also thought the course could benefit their actions and expressed disappointment as to the overall lack of support for the training.