

**REPORT OF THE
MONITORING OFFICER
2009**

INTRODUCTION

This is the fifth Annual Report of the Monitoring Officer for the period November 2008 to November 2009. The purpose of the report is not only to provide an overview of the work of the Monitoring Officer in the past year, but also to provide an opportunity to review and learn from experience. This Report therefore, sets out the Monitoring Officer's statutory responsibilities summarises how these duties have been discharged from the last Monitoring Officer's Report for the period November 2007 to November 2008, in accordance with the Council's Constitution and legislative requirements and draws attention to those issues that will require attention in the next calendar year. The Report also highlights the work of the Standards Committee.

1. RECOMMENDATIONS

That the Standards Committee and the Performance and Governance Committee comments on and endorses the Monitoring Officer's Annual Report.

That the Full Council notes the Monitoring Officer's Annual Report.

2. THE ROLE OF THE MONITORING OFFICER

The role of the Monitoring Officer derives from the Local Government and Housing Act 1989. The Act requires local authorities to appoint a Monitoring Officer.

The Monitoring Officer has a broad role in ensuring the lawfulness and fairness of Council decision making, ensuring compliance with Codes and Protocols, promoting good governance and high ethical standards.

A Summary of the Monitoring Officer's Functions is as follows:

<u>Description</u>	<u>Source</u>
Report on contraventions or likely contraventions of any enactment or rule of law	Local Government and Housing Act 1989
Report on any maladministration or injustice where the Ombudsman has carried out an investigation	Local Government and Housing Act 1989
Appoint a Deputy	Local Government and Housing Act 1989
Establish and maintain the Register of Members' interests.	Local Government Act 2000
Report on sufficiency of resources.	Local Government and Housing Act 1989
Maintain the Constitution	The Constitution

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<u>Description</u>	<u>Source</u>
Support the Standards Committee. Promote and maintain high standards of conduct.	Local Government Act 2000
Receive reports from Ethical Standards Officers and case Tribunals	Local Government Act 2000
Consulting with, supporting and advising the Head of Paid Service and Chief Finance Officer on issues of lawfulness and probity.	The Constitution
Legal Advisor to the Standards Committee when carrying out a local Determination Hearing.	Local Authorities (Code of Conduct) (Local Determination)(Amendment) Regulations 2003
Receive referrals from Ethical Standards Officers for local Investigations.	Local Authorities (Code of Conduct) (Local Determination)(Amendment) Regulations 2003
Assessing locally allegations of breaches of the Code of Conduct including reviewing such assessment and carrying out local investigation and determination following an assessment	Standards Committee (England) Regulations 2008 and Guidance produced by the Standards Board for England
Advise on whether executive decisions are within the Budget & Policy Framework.	The Constitution
Provide advice on vires issues, maladministration, financial impropriety, probity, Budget and Policy Framework issues to all members.	The Constitution
Issuing Dispensations to Members regarding prejudicial interests.	The Standards Committee
Considering whether certain Information is exempt from disclosure under the Freedom of Information Act.	Freedom of Information Act 2000

3. THE CONSTITUTION

The Constitution sets out how the Council operates and how decisions are made. It sets out the procedures which are followed to ensure that these decisions are efficient, transparent and that those who make the decisions are accountable to local people. The Monitoring Officer is the guardian of the Council's Constitution and is responsible for ensuring that the Constitution operates efficiently, is properly maintained and is adhered to.

3.1 Constitutional Review and Revision

Since the Constitution was re-written in 2007 many changes have taken place with the Constitution being continually updated. Work in the coming year will include a review of the Constitution.

An internal log is kept identifying changes needing to be made to the Constitution as they are identified by the Democratic Services Team. These may consist of errors, omissions, ambiguity or necessary changes of substance following the introduction of new legislation. Following next year's review the Constitution will be reviewed on an annual basis.

3.2 Fitness for Purpose

The Constitution sets out in clear terms how the Council operates and how decisions are made. Some of these processes are required by the law, while others are a matter for the Council to choose. The purpose of the Constitution is to:

- ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions;
- support the active involvement of local people in local authority decision making;
- help Members represent local people more effectively;
- enable decisions to be taken efficiently and effectively; and
- hold decision makers to public account.

3.3 Managing the Constitution

Any significant changes to the Council's decision making arrangements and Committee structure need to be approved by full Council. The Council will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

4. LAWFULNESS AND MALADMINISTRATION

The Monitoring Officer is the Council's lead adviser on issues of lawfulness and the Council's powers and in consultation with the Head of Paid Service and the Chief Financial Officer advises on compliance with the Budget and Policy Framework. Part of this role involves monitoring Committee reports, agendas and decisions to ensure compliance with legislation and the Constitution. The Monitoring Officer ensures that

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Cabinet decisions are made publicly available. This is done by Officers from Democratic Services. Cabinet decisions can be viewed by members of the public through the Council's website: www.sevenoaks.gov.uk

If the Monitoring Officer considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration she must report to the full Council or where appropriate the Cabinet after first consulting with the Head of Paid Service and Chief Financial Officer. Any proposal or decision that is subject to such a report cannot be implemented until the report has been considered.

The sound governance arrangements operated by the Council ensure that the power to report potentially unlawful decision making is rarely used and the Monitoring Officer has not had to issue such a report throughout 2008/09.

4.1 Reports from the Local Government Ombudsman

The annual letter for 2008/09 from the Local Government Ombudsman sets out a summary of the complaints received against the Authority and dealt with by his office over the year. These were as follows:

In relation to complaint outcomes 16 complaints were decided in the year, the majority of which were complaints about planning matters. In nine cases the Ombudsman found no or insufficient evidence of fault by the Council to justify further investigation. One complaint fell outside jurisdiction.

The Ombudsman closed six cases using his discretion not to pursue an investigation. Three of these cases concerned the Council's handling of some proposed parking restrictions. Although there may have been some minor faults by the Council he concluded that these had not affected the final outcome.

The average time taken by the Council to reply to the Ombudsman's written enquiries was 31.9 days. However, this figure was skewed by one planning complaint. Although a response to part of the complaint was received quite promptly the Council asked for additional time to respond to the rest. The Council's response time on the remaining complaint was 27.1 days which was within the target time of 28 days.

Further details of the Ombudsman's letter was reported to the Performance and Governance Committee on the 17th November 2009.

5. GOOD GOVERNANCE

The Monitoring Officer has a pro-active role in ensuring good practice, good procedures and good governance. This involves promoting networking, collaboration and joined-up working practices and decision making as well as ensuring standing orders, codes of practice, procedures are kept under review and up to date. Collaborative working entails regular monthly liaison meetings with the three Statutory Officers, Heads of Service/Management Team as well as working in partnership with other departments to develop and disseminate policies and procedures. Work being carried out to further develop and refine the use of resources represents a good current example of collaborative working. The Council

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is rated an Excellent Authority by the Audit Commission and received the highest nation wide score in respect of Use of Resources. Last year on the 17th March 2008 the Council received the prestigious Local Government Chronicle Finance Award for being the Council that could best demonstrate tight fiscal controls, good innovation and use of IT and team development leading to increased efficiency. The judges praised the Council's transformation which they felt represented "a true three-year journey to excellence".

This year the Council is hopeful that it will receive an excellent rating for its Use of Resources and the Corporate Area Assessment.

Good governance can be facilitated by providing procedure notes, guidance, developing and implementing protocols and providing briefings and enabling effective support to Councillors in their different roles including Member training.

The tasks for the year 2010 are to:

- Increase Members understanding and knowledge of the requirements of the Code of Conduct.
- Give further publicity to the New Arrangements in Respect of Allegations of Member Complaints now handled locally.
- Promote and increase an understanding of the roles and responsibilities of the statutory officers.
- Increase awareness of the ethical framework, and supporting policies and procedures and provide further training to Members and to staff.
- Promote and encourage joined up working and better governance arrangements.
- Monitor and test the operation and effectiveness of the ethical framework.
- To provide information on the ethical framework to the public, town and parish councils and members of staff.
- Work to further embed a culture of risk management throughout the Authority.
- Enhance and support the work of the Overview and Scrutiny Committees and the Performance and Governance Committee.
- Continue to promote diversity and equalities within the Authority.
- Embrace the proposals and changes created by the Local Government and Public Involvement in Health Act 2007
- Adopt one of the two new executive arrangements being either the new style Leader and Cabinet Executive or Mayor and Cabinet Executive
- Enhance the Scrutiny Function

6. THE ETHICAL FRAMEWORK AND SUPPORT TO THE STANDARDS COMMITTEE

As Lead Officer for the Standards Committee and the Ethical Framework the Monitoring Officer has a key role in facilitating, promoting the Council's Ethical Framework and in promoting and maintaining high standards of conduct within the Authority. As well as policy development and implementation this also involves advising Members and Officers including those within the Parish/Town Councils on propriety issues, advising the Standards Committee on applications for dispensations and advising the Standards Committee when they determine an allegation of misconduct on the part of a Member including a Member from a Parish/Town Council. Investigations may also be referred to the Monitoring Officer from an Ethical Standards Officer for the Standards Board for England. The maintenance of the Registers of Interests for the District as well as the Parish/Town Councils is also the responsibility of the Monitoring Officer.

The Local Assessment of Member Complaints was introduced on the 8th May 2008 and the Council was able to have a fully functioning system for local assessment in place to meet the deadline with educated Members, Officer and the Public ready to meet this new and exciting challenge. The Local Assessment Sub-Committee and Review Sub-Committee of the Standards Committee can decide to refer a matter to the Monitoring Officer for Local Investigation and Determination. They can also direct the Monitoring Officer to undertake Other Action.

Examples of the Standards Committee's work during 2008/2009 is as follows:

- Annual Monitoring Officer's Report
- Appointment of Sub-Committees in relation to the Local Assessment of Member Complaints
- Expressing a view on whether the Members' Register of Interest Forms should be made available online
- Receiving information on the work of the other Council Committees
- Developing the Standards Committee's Forward Work Programme
- Considering the quarterly Standards Bulletin which sets out recent developments surrounding the local standards regime and the ethical agenda
- Training and Development for Members of the Standards Committee on the new local assessment process in respect of Member misconduct allegations.
- Training and Development for Members and Parish/Town Councillors on the Code of Conduct and the new local assessment process in respect of allegations of Member misconduct
- Report by Members of the Standards Committee on the Eighth Annual Assembly of the Standards Board for England
- Adopting and using the training material produced by the Standards Board for England

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- Publicity for the new local assessment of Member Complaints
- Monitoring Member Complaints
- Monitoring Training
- Considering corporate equalities, the Equality Bill and the Government Equalities Office Taskforce
- Considering Probity in Planning
- Consultation – Communities in Control
- Procedure for Determination and Investigations
- Review of Sanctions
- Assessment and Review Sub Committee Arrangements
- Standards Committee (Further Provisions) Regulations 2009
- Terms of Reference for Standards Committees

6.1 Maintaining a Register of Member Interests

The Monitoring Officer is responsible for establishing and maintaining a Register of Member Interests for the District and Parish/Town Councils. Registers for Parish/Town Councils are held within the Elections and Land Charges Section of the Council. Registers of the District Council are held within the Democratic Services Section. With the introduction of the revised Code of Conduct gifts and hospitality worth £25 or over must now be included in the Register of Member Interests. This means that such gifts and hospitality is now a personal interest and must be declared at any meeting where a matter relating to that interest is discussed. The Standards Committee has produced guidance on the acceptance and registration of gifts and hospitality. Registrations are taking place and a form is used and the interest annexed to the Member's Register of Interests.

It is a requirement that Members' Register of Interest forms are made available for public inspection during normal office hours. Currently, anyone wishing to view the Members' Register of Interests must come to the Council and physically view the files. On the 14th July 2009 the Standards Committee after consultation expressed a view that District Members' Register of Interests should be made available online and this was considered by Full Council on the 10th November 2009. Online implementation can take place shortly thereafter.

6.2 Code of Conduct for Employees

The Code is based on an original draft published by the IDeA and has been updated since being implemented in 2006. The Code forms part of the employers' terms and conditions of employment. The Code is well publicised on the Council's internal intranet and is introduced to employees through the induction process.

Under the Code employees must declare to their Directors any non-financial or financial interests that they or members of their family have which they consider could conflict with the Council's interests.

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Also under the Code, employees must declare to their Director membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct. So that there can be no misunderstanding or confusion, membership of Freemasonry and similar organisations should be declared.

All relationships of a business or private nature with external contractors, or potential contractors should be made known to the employees Head of Service and Director.

All hospitality received and given should be appropriate and necessary and must, wherever possible, have the prior sanction of the Head of Service or Director and must be recorded in the Hospitality book kept within Corporate Resources. There is a Protocol on Corruption, Gifts and Hospitality contained within the Staff Code of Conduct.

6.3 Whistle Blowing

The whistle blowing policy of the Council is entitled “Staff Confidential Reporting Policy” and is publicised throughout the organisation on the internal intranet. Information on the Council’s Whistle Blowing Policy is included with the Staff Induction Packs.

As a first step, concerns should be raised with the employee’s immediate manager or their superior. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if it is believed that management is involved, the employee should approach:

- the Audit and Efficiency Manager
- the Head of Human Resources
- any Director
- a Councillor

Where appropriate, the matters raised may:

- be investigated by Management, the Human Resources Section, Internal Audit, or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry

The Chief Executive has overall responsibility for the maintenance and operation of this policy. Internal Audit maintains a record of concerns raised and the outcomes, (but in a form which does not endanger confidentiality). A reporting mechanism forms part of the Terms of Reference of the Performance and Governance Committee.

In the last calendar year there have been one matter which is currently being investigated.

6.4 Human Resources Strategy and Workforce Plan

A Human Resources Strategy and Workforce Plan is available on the Council's internal intranet which incorporates many policies, strategies and procedures. These are regularly reviewed in line with legislative changes.

6.5 The Standards for England, Complaints and Determinations

The Monitoring Officer is responsible for establishing and maintaining an effective working relationship with the Standards for England. The Monitoring Officer is also responsible for receiving reports from Ethical Standards Officers regarding investigations carried out by the Standards for England into the conduct of Members. Such reports may need to be determined by the Council's Standards Committee.

The Standards Committee (England) Regulations 2008 came into force on 8th May 2008. The Regulations along with Guidance produced by the Standards for England sets out the details of how the new locally based system for the assessment of alleged complaints into breaches of the Code of Conduct would operate. The Assessment Sub-Committee and Review Sub-Committee of the Standards Committee can refer matters to the Monitoring Officer for Local Investigation and Determination or Other Action. In limited circumstances matters can be referred to the Standards for England.

The Standards for England as the national regulator is responsible for monitoring and promoting ethical standards and monitors local standards regime arrangements via an on line information return system. Returns are made by authorities on a quarterly basis.

6.6 Allegations of Member Misconduct dealt with by the Assessment Sub-Committee of the Standards Committee between 1st January 2009 and 3rd December 2009

Total allegations made:	17
District Councillors	2
Parish/Town Councillors	15
Complaints referred to the Standards for England for Investigation in relation to complaints involving one Town Council	6
Complaints in which no action was taken	11
Referred cases sent for local investigation and determination	nil
Cases sent for Review	1

Although the number of Member misconduct allegations has increased this year from 10 last year to 17 this year it is important to note that 6 of the allegations involved one Town Council and these were referred by the Council's local Standard Committee to

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the Standards for England for investigation by an ethical standards officer. The Standards for England can decline to investigate a complaint referred to them although in this instance they decided that the local standards sub-committee was quite right in their referral and the Standards for England accepted the complaints for investigation. Following the investigation the Standards for England found no evidence of any failure to comply with the Code of Conduct.

In relation to the other 11 cases considered by the local Standards Committee it was decided that no action was required in respect of the complaints. The decisions reached by the Standards Committee via its assessment sub-committee adhered to the assessment criteria that the Standards Committee had agreed and the guidance produced by the Standards for England.

One case was asked to be reviewed with the outcome pending.

6.7 Local Assessment of Complaints into Member Misconduct

The local procedure for assessing complaints into allegations of Member misconduct is publicised via our local forums, local newspapers, "In shape People", and a web page created with an on line complaint form together with a criteria for local assessment.

All Members on the Sevenoaks Standards Committee have been given training on the new processes and have been offered refresher training this year. The training sessions have been well received with some of the Independent Members of the Council's Standards Committee cascading such training to the Kent and Medway Independent Standards Committee Members' Liaison Group.

Monthly meetings of the Assessment Sub-Committee have been set up so that Member misconduct complaints can be considered in a timely fashion.

6.8 Local Investigation & Determination Procedures for Complaints regarding the Conduct of Members

If a local assessment of Member misconduct results in a decision to investigate the Monitoring Officer may delegate other Council Officers to perform the function of investigation into the conduct of Councillors of the District and Parish/Town Councils. In appropriate cases, the Monitoring Officer will appoint the Deputy Monitoring Officer to undertake the investigation, but in other cases it may be appropriate to appoint an outside investigator, which could involve borrowing from another authority and there is a Protocol for Mutual Assistance by the Kent Monitoring Officers.

The Monitoring Officer may require any Council Officer to provide a statement, answer questions or supply information to assist in the conduct of an investigation and require Councillors to provide such statements, answer questions or supply information.

The Standards for England's new role is that of strategic regulator with the responsibility to monitor and promote standards and to support and oversee local authorities in their application of the Code. Only cases that are particularly serious or

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cannot be handled locally because of conflicts of interest or because they raise issues of particular importance are dealt with by the Standards for England.

6.9 Reviewing the Effectiveness of the Ethical Framework

One of the key on-going areas of work is to review and assess the impact of the ethical framework on the behaviour of Members of the District, Parish/Town Councils and Council staff. Many of the tools used to assess standards of customer care within the organisation; such as interviews and customer feedback also lend themselves to the assessment of ethical health. The Monitoring Officer anticipates that in the year ahead the Standards Committee's work programme continue to include work in this area in order to allow it to assess the effectiveness of work to date and to plan for the future. Feedback assessments on Member training have given an excellent result this year and no local investigations have needed to take place into Member misconduct.

The Standards for England now collect information from standards committees on their activities and on their arrangements for supporting the ethical agenda. The aim is that this information will enable the Standards for England to drive up the performance of standards committees and of ethical conduct generally. The annual return is in the form of an online questionnaire and this year's return is shown as an Annex to this report.

7. CORPORATE COMPLIANCE WITH LEGISLATION

Legal updates including details of new legislation are circulated by the Legal Team to relevant Officers within the organisation. Those Officers then circulate legal updates including new legislation to Members when they consider this to be appropriate.

The Legal Department continues to produce a Legal Section newsletter on a quarterly basis which contains legal updates on issues that Members and staff may find interesting, helpful and relevant. The guide supplements their usual frequent updates which are sent to specific people about their area of work. Examples of content are:

- Information Commissioner's Office guidance on what should be published
- Information Commissioner's Office guidance on use of personal information in council meetings
- Article on Freedom of Information, shared services and outsourcing
- Councillors guide to creating quality open spaces
- Community Infrastructure Levy
- New Information Guide for Councillors
- Other Action Guidance for Members of the Standards Committee
- Probity in Planning – the role of Councillors and Officers
- Planning Act 2008
- Paving of Front Gardens

- Child Poverty Bill
- Animal Welfare
- Case Law
- Licensing

All Cabinet reports and the various committee reports have a compulsory heading in which the author has to consider Legal Implications and Human Rights issues, and if there are likely to be such implications the report is to be sent to the Legal Team for relevant advice.

8. EQUALITIES

As a community leader, service provider and employer Sevenoaks District Council is committed to eliminating discrimination on the grounds of race, disability, gender, age, religion and belief and sexual orientation. This means respecting the different needs of the district's adverse community and ensuring the Council deliver against our commitments. The Council's Annual Equality Report was published in September 2009.

9. SUPPORT TO COUNCIL, CABINET, SCRUTINY AND COMMITTEE MEETINGS

The distribution and publication of committee reports, agendas and decisions is central to meeting the requirements of a key deliverable. It is the Monitoring Officer's responsibility to oversee the process and ensure that these documents comply with statutory and constitutional requirements.

This includes:

- Distributing and publishing all agendas within five clear working days of the meeting taking place and ensuring that all agendas are compliant with the access to information rules and exempt information is marked up accordingly.
- Advertising public meetings five clear days before the meeting date.
- Ensuring that papers are made reasonably available to the public.
- Drafting minutes for publication within nine working days.
- Publishing a record of all decisions including key decisions taken by Cabinet within 48 hours (2 working days) after the meeting.
- Ensuring that petitions are handled in accordance with the Council's Constitution.
- Ensuring that meetings are accessible.

9.1 Statutory Meetings Analysis

One of the explicit aims of the Local Government Act 2000 was to streamline the decision making process to allow Councils to focus on service delivery.

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In 2008/09 the following were serviced:

Full Council Meetings (including 1 extraordinary meeting and 1 annual meeting)	7
Cabinet	14
Performance and Governance Committee	7
Electoral Arrangement Committee	0
Environment Select Committee	9
Services Select Committee	8
Social Affairs Select Committee	7
Modern Local Government Group	4
Development Control Committee	14
Standards Committee including five meetings of the Assessment Sub Committee	8
Sevenoaks Joint Transportation Board	4
Licensing Committee	3

Other meetings serviced include 22 Development Control Committee site meetings and 8 Licensing Committee hearings.

The volume of meetings represents a substantial commitment of both Councillors' and Officers' time and resources. It is of great importance that meetings constitute an effective use of time and resources; that they add value to corporate effectiveness and help in meeting the aims and objectives of the Constitution and the Community Plan.

9.2 The Forward Plan

The co-ordination and maintenance of the Forward Plan is central to meeting the requirements of good governance as it enhances open and transparent decision making.

In compliance with Access to Information Procedure rules and the Constitution, the Forward Plan sets out key decisions which the Council plans to take in the next four months. A key decision is one which would result in expenditure or savings in excess of 50,000 pounds or which is significant in terms of its effects on communities living or working in two or more wards. The Forward plan sets out the date/period within which the decision will be taken. The Forward Plan is published and updated on a monthly basis.

9.3 Call-In requests

There were no call-in requests within 2008/09.

9.4 Overview and Scrutiny

The Council has plans to further develop successful and responsive overview and scrutiny. Some of the challenges in this area are as follows:

- Engaging our community to ensure effective and responsive local government through overview and scrutiny.
- Developing closer working relationships between the Executive and Members to enhance overview and scrutiny.
- Building effective scrutiny with our partner organisations.
- Measuring the effectiveness of overview and scrutiny.
- Overview and Scrutiny Member training.

This year the Overview and Scrutiny Committees have been involved in the budget process, taking an early look at proposed savings and making recommendations to help the Council balance its budget. The Social Affairs Select Committee has also looked at the proposals surrounding the Stag Theatre proposals.

All three Select Committee Chairmen planned to attend a Kent wide Scrutiny Conference in November.

10. MEMBER TRAINING AND DEVELOPMENT

The Monitoring Officer is responsible to the Standards Committee for the provision of training to Members within the District and the Parish/Town Councils. An extensive training development programme for Members is also organised by the Democratic Services Team.

This year the Monitoring Officer has been concentrating on providing training workshops to Members and Clerks of Parish and Town Councils tailoring such training to individual Parish and Town Council needs. A lot of the Standards for England's training material is used in the training workshops.

There are 30 Parish and Town Councils within the District of Sevenoaks and the Monitoring Officer with Members of the Standards Committee have often undertaken these training workshops out of hours and on occasion by travelling out to particular Parish and Town Councils.

Training feedback forms are an essential part of the arrangements for training and are evaluated by the Standards Committee. This year those that have undertaken the training have agreed or strongly agreed the following:

- That the objectives of the session were met
- Attending was worth the effort
- They learnt something new and useful that they could apply to their position as Councillor or Clerk
- They are likely to recommend the training session to others

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- The course material was helpful and informative.

This year the following training has taken place:

- Two refresher training sessions for all Standard Committee Members on handling the process of assessing allegations of Member misconduct according to a set criteria
- Two conciliation sessions have taken place
- Members from 12 Parish and Town Councils have attended training and the programme of training is continuing into the new year.

The Monitoring Officer employs an open door policy allowing Members to call in at any time to receive advice. This facility is extensively used by Members of the District, Town and Parish Councils to try to resolve issues at an early stage. This was specifically recognised by the Council's Use of Resources inspectors in supporting a score of 4 for "Internal control – Arrangements to ensure probity and propriety." The assessment issued in January 2008 was supported by an Audit Commission Notable Practice Form focussing on the "open door" policy of the Monitoring Officer.

Each year the Monitoring Officer and a Member of the Standards Committee attend the Standards for England's National Assembly, This is an enlightening experience for Members ensuring current developments and knowledge is passed on and discussed by the Standards Committee.

The Standards Committee works as a cohesive group to promote high standards across the whole district. The drive and enthusiasm of the Committee is reflected by the fact that the Independent Chairman now chairs the Kent Association of Independent Members which is helping to drive up standards across Kent.

11 CONCLUSION

The Monitoring Officer's role encompasses both proactive and reactive elements. The proactive role centres on raising standards, encouraging ethical behaviour, increasing awareness and utilisation of the elements of good governance and ensuring that robust procedures are in place.

The reactive role focuses on taking appropriate action to deal with issues and potential problems as they arise. The Monitoring Officer's effectiveness in this role is in turn dependent on effective systems and procedures being in place to identify problems and ensure that Members, Officers and public are aware of appropriate channels to raise concerns.

The work programme for the next year aims to expand on the work carried out this year and to consolidate on and embed the systems, policies and procedures that are at present in place.

Christine Nuttall
Monitoring Officer