

**RISK IDENTIFICATION AND ASSESSMENT FORM – SS 2006-07 R016**

Directorate	Law & Democracy				
Service Area	Monitoring Officer				
Location	Municipal Buildings				
Risk Ref. No.	5				
Risk Issue	Potential Breaches of the Members Code of Conduct and subsequent referral to the Standards Board for England.				
Description of Risk	Each Local Authority is required to adopt a Code of Conduct, breaches of which can currently be referred to the Standards Board for England. Post April 2008 allegations of misconduct will be referred initially to local councils/Standards Committees. The revised Code of Conduct covers areas of individual responsibility (in terms of Members not abusing their position, misusing authority resources and disclosures of interests). Complaints to the Standards Board and referrals to the Council for local investigation are continuing to occur but at a lower level than during the first three to four years after the adoption of the original Code.				
Description of Impact	Members in breach of the Code of Conduct would be subject to penalties (including suspension or disqualification). This would have a detrimental effect on the reputation of the individual Member(s) and the Council, as well as potentially damaging public trust and confidence.			Score  4	
Description of Likelihood	Referrals to and from the Standards Board are continuing. This is however occurring at a lower level than during the three or four years after the adoption of the original Code. The new Code of Conduct has not to date given rise to any significant difficulties of interpretation and application.			Score  3 <hr/> Total Score =  12	
Risk Category	Very Low	Low	Medium	High	Catastrophic
Existing Control Measures	Ongoing guidance and support to Members. Advice and Training provided by the Monitoring Officer and others (eg externally). Work has taken place to update the Constitution. Steps are continuing to be taken to raise awareness and understanding in that context. An ethical governance audit and light touch health check by the IDeA has been undertaken. An action plan regarding issues arising has been developed and significant progress has been made in implementing it. In particular, awareness of the ethical framework, standards and probity and the conduct expected of Members has been heightened. Advice, guidance and training is being provided regularly on the revised Code and principles of conduct (eg an externally facilitated Members training day took place on 25 October 2007).				

Action Required	Continued guidance, advice and training for Officers and for Members generally and particularly as regards the revised Code of Conduct and the strengthened role for the Standards Committee.	Person Responsible  Director of Law and Democracy	Target Date  Ongoing
Measures planned for next year	Continue to maintain an up to date constitution. Conclude the implementation of the agreed recommendations arising from the ethical governance audit and review the outcomes. Continue to provide training in conduct, ethics and probity for Borough and Parish Councillors. Provide ongoing training for Standards Committee Members in relation to local determination and investigation of misconduct allegations, as well as the Committee's proposed enhanced role and the revised Code of Conduct. Monitor and review the implementation, operation and outcomes of the new local filter arrangements.		