

## **THE ETHICAL GOVERNANCE FRAMEWORK**

### **ETHICAL STANDARDS AND GOVERNANCE ARRANGEMENTS**

Rossendale Borough Council recognises that high ethical standards are the cornerstone of good governance and increasing residents' confidence in local democracy. We are fully committed to ensuring that we have the highest possible standards in place to help us achieve this.

Set out below are the ethical governance arrangements at Rossendale Borough Council.

### **THE ROLE OF THE MONITORING OFFICER**

All local authorities are required by Section 5 of the Local Government and Housing Act 1989 to appoint a Monitoring Officer. In Rossendale the post is held by the Legal Services Manager. It is the Monitoring Officer's role to report on any issues about the Council's legal powers, possibly maladministration, impropriety and probity. This means that the Monitoring Officer acts as a 'watchdog' over all the Council's activities to ensure their legality and propriety.

The Monitoring Officer's role has been extended by the Local Government Act 2000 to include:

- Keeping the Constitution, Standing Orders, Codes of Practice and Procedures under review;
- Monitoring Committee reports, agendas and decisions;
- Advising the Cabinet on legality issues;
- Advising on the budget and policy framework;
- Ensuring that the Cabinet decisions (with reasons, officer reports and background papers) are publicly available;
- Providing advice and support to the Council's Standards Panel;
- Maintaining the Register of Members' Interests;
- Providing advice and support to the Members on matters of conduct;
- Advising the Standards Panel in cases referred for local determinations or investigations;
- Investigating any breaches of the Code of Conduct.

### **Functions of the Monitoring Officer**

#### **1. Ensuring lawfulness and fairness of decision-making**

After consulting with the Head of Paid Service and the Head of Finance, the Monitoring Officer will report either to the Cabinet or the Full Council if he or she considers that any proposal, decision or omission would give rise or has given rise to unlawfulness or if any decision or omissions would give rise or has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

**2. Supporting the Standards Panel**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Panel.

**3. Receiving reports**

The Monitoring Officer will receive and act upon reports made in relation to standards matters.

**4. Conducting the Investigation**

The Monitoring Officer will conduct or arrange for investigations into matters and make reports or recommendations to the Standards Panel.

**5. Providing Advice**

The Monitoring Officer will provide advice on the scope and powers and authority to take decisions, maladministration, financial impropriety and probity to all Councillors.

**6. Restrictions on posts**

The Monitoring Officer cannot be the Head of Finance or the Head of Paid Service.

**7. Maintaining the Constitution**

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and public.

**THE STANDARDS PANEL**

Information on the Standards Panel and its procedure rules can be found in Part 4, Section 9 of the Councils Constitution:

[http://www.rossendale.gov.uk/downloads/download/195/rossendale\\_borough\\_councils\\_constitution](http://www.rossendale.gov.uk/downloads/download/195/rossendale_borough_councils_constitution)

**CODES AND PROTOCOLS**

The introduction of the Local Government Act 2000 brought about an increased focus by the Government and local authorities on the issue of ethics and Ethical Governance. The Codes have been put into place in order to enhance the Council's ethical standards and governance framework. They set out the standards of behaviour that the Council expects of its Councillors and staff and how they relate to one another.

Please refer to the Codes and Protocols section of your Members' Induction Pack for more information.