



Report of the Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 16th October 2008

Subject: Standards Board for England Annual Review 2007- 08

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to outline the contents of the Standards Board for England's Annual Review for 2007-08. The review highlights the changing role of the Standards Board, the new responsibilities of local authorities, and the work the Standards Board has undertaken during the year to allow the new system to be realised.
2. The Annual Review summaries the Standards Board's main achievements for the year April 2007 – March 2008, and what they see as their challenges for next year.
3. Copies of the Annual Review have been provided to the Leader of the Council, the Chief Executive, the Monitoring Officer and the Chair of the Standards Committee for information.
4. Members of the Standards Committee are recommended to note the information in this report.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to outline the contents of the Standards Board for England's Annual Review for 2007-08. The review highlights the changing role of the Standards Board, the new responsibilities of local authorities, and the work the Standards Board has undertaken during the year to allow the new system to be realised.

2.0 Background Information

- 2.1 The Standards Board believes its key achievements for the year have been:
- The publication of key advice on the implications of the revised Code of Conduct;
 - Ensuring that 99% of Monitoring Officers and 90% of standards committee Members knew about the new Code before its adoption date of 1st October 2007;
 - Attendance of more than 1000 people at the road shows which explained both the new Code and the new local framework;
 - A successful Annual Assembly in October 2007, with good feedback from delegates;
 - The completion of local pilots designed to explore and shape the new local assessment framework;
 - Research results show an increase from 27% to 44% of Members who think that standards of behaviour have improved in recent times;
 - Two out of three stakeholders now consider that the Standards Board's published information and guidance communicates key messages 'very or fairly well';
 - 90% of allegations received by the Standards Board were acknowledged within two working days;
 - Average time taken from receipt of an allegation to notification was ten working days; and
 - Completing 96% of cases referred for investigation within six months.
- 2.2 The Standards Board sees its challenges for the year 2008-09 to be:
- Ensuring that standards committees and Monitoring Officers are confident in their roles and system is operated efficiently at the local level;
 - To provide guidance and information on the management of cases and to highlight good practice; and
 - To offer a light touch when monitoring performance.
- 2.3 A copy of the Standards Board Annual Review 2007-08 has been sent to the Leader of the Council, the Chief Executive, and the Chair of the Standards Committee for their information. Copies of the Annual Review are available on request from the report author or can be accessed on the Standards Board website at <http://www.standardsboard.gov.uk/Publications/AnnualReviewandReport/>

3.0 Main Issues

- 3.1 The Standards Board's Annual Review has been split into four subject areas: working together, succeeding together; growing into our new role; clear lines of communication; and spreading the word.

Working together, succeeding together

- 3.2 Over the course of 2007-08 the Standards Board created a series of pilots designed to provide an overview of how the new system might work in practice. The Local Assessment of Complaints Pilot involved 38 local authority Standards Committees (including Leeds City Council) considering 12 real, but anonymised, complaints including two review cases and deciding whether to refer these cases for investigation or other action, or to refer them to the Standards Board.
- 3.3 Out of the ten assessment cases, on average standards committees referred six allegations, whereas the Standards Board's average is only three out of ten. However local authorities have the option to refer allegations for other action, whereas the Standards Board do not. 76% of the decisions taken by standards committees were reached by consensus, although in 13% of cases they considered they had difficulty reaching a decision.
- 3.4 The second pilot looked at joint arrangements between standards committees. The pilot offered four different types of working structures, and received mixed responses from participants. A third pilot looked at the online monitoring and returns system used by the Standards Board.
- 3.5 During all three pilots the Standards Board asked Monitoring Officers what they would recommend to help local assessment work in their authority. Almost half said they would increase the frequency of Standards Committee meetings, 40% would consider increasing the size of the Standards Committee, and 33% said they needed more Independent Members.
- 3.6 During the past year, the Standards Board received 3,547 allegations and decided to refer 524 for investigation (285 for investigation by Monitoring Officers). Following investigations by Ethical Standards Officers, eight cases were sent to the Adjudication Panel for determination, and 15 were sent to standards committees.

Growing into their new role

- 3.7 The Standards Board's new role is to ensure that the local framework is a success by helping and supporting local authorities and taking the independent, national overview important for maintaining public confidence. However the Standards Board will continue to investigate the cases which cannot be considered locally for whatever reason, and to provide general advice on case handling and governance issues.
- 3.8 The Standards Board outline that the monitoring system ensures that the system as a whole is fair, to both complainants and subject Members. It will also assist the Standards Board with identifying standards committees, Monitoring Officers and authorities which are experiencing problems and to identify areas where individual support or general guidance are needed.

Clear lines of communication

- 3.9 In June 2007 representatives from the Standards Board travelled around England for a series of workshops designed to inform Members about the forthcoming changes and how they would be affected by them. One of these was held in Leeds and was attended by Members of the Standards Committee, as well as the

Monitoring Officer. Overall, more than a thousand standards committee members and Monitoring Officers attended the workshops.

- 3.10 Total net satisfaction with the published information and guidance provided by the Standards Board has also increased. The proportion satisfied minus the proportion dissatisfied was +43% in 2007 (compared to +36% in 2004).

Spreading the word

- 3.11 The Standards Board has held and attended several successful conferences throughout the year. The Annual Assembly “Down to Detail: Making local regulation work” was very popular, and 97% of delegates said they were satisfied with the event. The Standards Board also attended the annual conference of the Local Government Association and the three major political party conferences in 2007.
- 3.12 The Standards Board has also engaged in a number of partnerships during the last year, including:
- Working with the Audit Commission to ensure that standards issues are incorporated into comprehensive area assessments and to look at issues such as proportionate regulation and information sharing;
 - Working with the Planning Advisory Service to ensure that its guidance is consistent with the Code of Conduct; and
 - Working with the Improvement and Development Agency for local government to look at to the extent to which partnerships work along ethical lines. Partnerships need to be implemented and managed ethically and the Standards Board is keen to promote appropriate behaviours and real accountability in all partnerships entered into by local authorities.

4.0 Implications For Council Policy And Governance

- 4.1 It is part of the Standards Committee Terms of Reference to make representations to and to liaise with external agencies about any matter relating to general principles of conduct or codes and protocols. It is therefore important that the Standards Committee ensure they are familiar with the role and work of the Standards Board for England.

5.0 Legal And Resource Implications

- 5.1 There are no legal or resource implications to this report.

6.0 Conclusions

- 6.1 The Annual Review summaries the Standards Board’s main achievements for the year April 2007 – March 2008, and what they see as their challenges for next year.
- 6.2 Copies of the Annual Review have been provided to the Leader of the Council, the Chief Executive, the Monitoring Officer and the Chair of the Standards Committee for information.

7.0 Recommendations

- 7.1 Members of the Standards Committee are recommended to note the information in this report.

Background documents referred to in this report

Standards Board for England Annual Review 2007-08 available at
<http://www.standardsboard.gov.uk/Publications/AnnualReviewandReport/>