

Towards effective local regulation



Many delegates I spoke to at this year's Annual Assembly of Standards Committees commented on how far and how fast the standards agenda has moved over the last year. Half of all standards committees have now handled a local case, and there are increasingly proactive approaches to championing and upholding high standards locally.

Most importantly, awareness of the Code of Conduct is increasing and there is evidence of improved standards of behaviour. I would like to congratulate all of you for what you have achieved so far.

Much is now in place to support the increasingly locally owned and driven standards framework outlined by Phil Woolas MP in his document *Standards of Conduct in English Local Government: the Future*,

and reinforced in his keynote speech that opened our Fifth Annual Assembly.

Of course there is still much to do. Above all we need to work together to embed the revised Code of Conduct, which the Minister promised would soon be published for consultation. The Standards Board for England will produce guidance and training materials, and we urge monitoring officers and standards committees to ensure that councils adopt the revised Code quickly.

This means ensuring that training is put in place ready for the elections in May 2007. We will work with you on pilots to make local filtering a success in 2008.

A major theme of the Assembly was the importance of high standards of conduct and

behaviour in underpinning good governance, especially for leaders and chief executives living out and exemplifying the values of good governance. That includes ensuring that standards committees have the necessary capacity and support, and that monitoring officers are equipped to give clear and robust advice, recognising members' legitimate community advocacy roles.

I hope you enjoy this final newsletter which includes a look at some of the discussion that went on amongst delegates at this year's sessions, news from the Standards Board for England, a summary of plans for the revised Code of Conduct, and further pictures from this year's event.

Initial feedback on the Assembly has been very positive. Soon we shall be planning next year's event, and we are delighted by the large number of new volunteers wanting to join the 2007 steering committee. This group will be considering what went well at this year's event and what could be improved, and will help make next year's event just as useful and successful.

I look forward to seeing you there.

Sir Anthony Holland
Chair, the Standards Board for England

CONFERENCE ROUND-UP

This year's Annual Assembly featured a range of sessions, from facilitated exchange sessions to workshops and debates. These summaries give you a flavour of some of the delegate discussions that took place.

Implications of the revised Code and the future ethical environment

In these sessions, delegates discussed and debated the implications of the revised Code of Conduct, the local filter for complaints and the future ethical environment.

One theme that came up in the sessions was the need for members, both prospective and returning, to understand the Code of Conduct before taking office, with many delegates also stressing the need for guidance on the revised Code as soon as possible.

Monitoring officers were concerned about whether they would have the resources to help authorities handle changes, and the need for powers other than investigation – such as mediation – to resolve issues.

The need for guidance and resources to assist with the local filter was also emphasised.

Other issues raised were: recruiting enough independent members; collaboration between councils in regards to training; placing time limits on investigations so that delays do not occur; and the need for standards committees to lead on training and ethical standards, not just on dealing with breaches of the Code.

The Standards Board for England will be producing guidance and training materials on the revised Code when it comes into force, including a new DVD, and on other areas such as the local filter. We have called on the Department for Communities and Local Government (DCLG) to look into the resources issue and will continue to lobby on this, and encourage authorities to do the same.

How do you measure up?

Delegates looked at their authorities in the context of the BMG research during these sessions.

Issues that arose included the need for a proactive standards committee chair. The lack of independent member candidates, and the lack of diversity of independents was discussed, demonstrating the need for proactive recruitment. The need for public awareness of standards committees, and the role of the chair in raising this profile, was highlighted.

The issue of training was key, with delegates emphasising the need for training to be ongoing, suggesting that experienced members mentor new members. Collaboration on training between neighbouring authorities was also recommended. Opinion was divided in one session over whether monitoring officers should be legally trained. Some delegates called for training for members to be mandatory.

Tensions between independent and elected members were discussed. A formal support network for monitoring officers was suggested for sharing best ideas and practice.

Bridging the gap: knowledge, techniques and skills

Sessions on a variety of topics addressed the challenges of a revised Code and more locally focused system. Below is a snapshot of some delegates' discussions.

In the session *Investigations – in-house or out-house?* topics discussed included the need to consider carefully the reasons why an investigation should be outsourced. If it is outsourced, key points were to be prepared, choose your investigator with care, and make sure that the monitoring officer, or

someone appropriate, sees a draft report. There was discussion around the pros and cons of joint-working more generally, and the level of involvement of the standards committee chair in investigations.

Holding an effective hearing emphasised that preparation is key, and that the composition of standards committees is important. Delegates raised worries about time resources, the number of panel members, and the fact that members could be susceptible to persuasion.

Bridging the gap: awareness, development, wider debate

These sessions focused on bridging the gap between simply fulfilling statutory obligations and integrating ethical standards into the corporate governance framework. Below is a snapshot of a couple of these sessions.

In *An inclusive approach to towns and parishes*, discussion covered the need for members, particularly clerks, to be properly trained. Whether principal authority members should be able to help parish members was debated. The *Town and Parish Standard* newsletter was mentioned as a useful information tool.

Working proactively – the role of standards committees covered the need for standards committees to have terms of reference beyond their statutory obligations, the fact that the capability of standards committees varies widely, and how standards committees can measure the ethical temperature in their authority. Also discussed was raising the profile of standards committees within their council, visiting and monitoring parish and town councils, and the need for work programmes and for the regular updating of protocols and registers.

CONFERENCE PICTURES



What you thought

Thank you for all of your comments and feedback about this year's conference. Here's a selection of what you had to say about the Fifth Annual Assembly of Standards Committees:

- " Overall a useful and positive contribution to the future of local government. "*
- " Good conference as usual. Thank you. "*
- " Very nicely paced and timetabled with stimulating mix of plenary/workshop/breaks etc. "*
- " Slick, professional and generally very thought provoking. "*
- " The particular strength of the Assembly is arranging a programme which can appeal to and benefit the wide spectrum of people involved in the standards process and enable them to meet each other and discuss matters of mutual interest. "*
- " The conference is a 'master class' in organisation! The venue is ideal, staff and officers excellent. A very worthwhile event. "*
- " Thank you! It was my first Assembly and it has been very informative, interesting and insightful. "*
- " An excellent conference, a very diverse choice of topics. This will help me in my role as monitoring officer and my standards committee. "*
- " The present conference is still a very good training experience, even for delegates that have been before. "*

Conference materials online now

Presentations, handouts and speeches from the conference are available now from our dedicated Annual Assembly website. They are all under 'Session materials' in the Programme section of www.annualassembly.co.uk

New appointments to the Standards Board for England

Four new Board members have been appointed to the Standards Board by the Minister for Local Government, Phil Woolas. These new appointments will help to maintain the balanced proportionate representation of interests and experience central to the work of the Standards Board.

They include the first appointment of a politically independent, elected member, Councillor Shirley Flint. The other new members are Councillor Beatrice Fraenkel (Liberal Democrat), Councillor Mehboob Khan (Labour) and Councillor Sir Ron Watson CBE (Conservative).

Phil Woolas said: "I am very pleased that Shirley Flint, Beatrice Fraenkel, Mehboob Khan, and Sir Ron Watson are joining the Standards Board to represent local government interests. They will bring valuable experience and expertise to help the Board

develop a more locally-based conduct regime and to maintain high standards of conduct in local government."

The terms of the new Board members began on 23 October 2006 and will run for three years. Their biographies will be published shortly on the Standards Board's website, www.standardsboard.co.uk

There are seven other Standards Board members, including the chair, Sir Anthony Holland.

The Minister announced at this year's Annual Assembly that Sir Anthony had agreed to continue as chair of the Board until June 2008, saying that his knowledge and experience would be vital in guiding the Standards Board for England through both its relocation and the introduction of a new standards regime.

The Board consists of eleven members:

- Sir Anthony Holland (Chair)
- Patricia Hughes (Deputy chair)
- Cllr Shirley Flint
- Cllr Beatrice Fraenkel
- Paul Gott
- Elizabeth Hall
- Cllr Mehboob Khan
- Paul Sabapathy
- Prof Judy Simons
- Roger Taylor
- Cllr Sir Ron Watson

And the winner is...

Congratulations to the winners of our feedback prize draw, picked at random, who each receive a £20 book token. Thanks to all who completed their forms – your feedback is vital in planning future events.

Anne Dickens, Independent Member of Standards Committee, London Fire and Emergency Planning Authority

John Tradewell, Council Solicitor, Halton Borough Council

Dave Crowe, Independent Chair of Standards Committee, Dartford Borough Council

Councillor Ian Sams, Surrey Heath Borough Council

Doreen Porter, Head of Legal and Democratic Services, Worcester City Council

At the Fringe

This year's optional fringe events were run by a range of bodies from the local government family, covering topics of key interest to delegates.

Several delegates said that they had found the event by SOLACE (Society of Local Authority Chief Executives and Senior Managers) on *Leadership and governance and the Lyons Inquiry proposals* a really useful and interesting session. Discussion focused on a number of different areas, but was based around the key role of effective leadership and governance at all levels, particularly at local level as proposed by the Lyons Inquiry.

Issues highlighted at the event included the need for standards committees to provide local context and an understanding of the real issues in its particular area. Also discussed was the importance of participation – in particular the danger of stopping people with knowledge and understanding of the issues under debate from participating.

Many delegates who attended *Independent members gaining a voice*, the inaugural meeting of the Association of Independent Members of Standards Committees (AIMSce), said they saw it as an excellent way forward for the future.

THE SIXTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

15–16 OCTOBER 2007, ICC, BIRMINGHAM

The revised Code: in summary

We thought it would be helpful to summarise the key points raised during the conference regarding the revised Code of Conduct.

The timescale for the introduction of the revised Code is decided upon by DCLG, however our best understanding of timings is:

1. **Next few weeks:** the Standards Board anticipates that the Code will be issued for consultation by the Department for Communities and Local Government in the next few weeks.
2. **End of December:** consultation should end.
3. **Late January/early February:** parliamentary approval is expected.
4. **May 2007:** revised Code of Conduct should come into effect. The intention is to allow for training to take place before this time, and the Standards Board is encouraging authorities to adopt the revised Code as soon as is practical, preferably at their annual meetings in May 2007.

Whilst the final content of the revised Code is the remit of DCLG, we anticipate that the main areas of change will be:

- a) the definition of personal interest
- b) the creation of a new category of interest called public service interest
- c) disclosure of confidential information in the public interest
- d) disrepute
- e) bullying
- f) abolition of the duty to report breaches of the Code by other members

The Standards Board will be providing guidance and training materials to help you navigate the revised Code when it comes into force.

In the meantime, please call the Standards Board enquiries line on 0845 078 8181 with any general queries about the Code of Conduct.

Roadshow events

The Standards Board is already preparing for our next events following the close of this year's Annual Assembly. We are planning to host a series of roadshows across the country in June 2007 to coincide with the proposed launch of the revised Code of Conduct and local elections results. The current proposals are to visit 12 cities across the country.

The focus of the roadshows will be on the revised Code as well as preparations for the proposed introduction of the local filter system for complaints in 2008. As in previous years the sessions will take the format of presentations and discussions, and delegates will be encouraged to contribute. Board members and the chief executive will also be on hand to answer any questions.

These roadshows will be aimed at members from local standards committees and monitoring officers. Details will be sent out nearer the time.

Previous roadshows have offered an excellent opportunity to engage with delegates, answer queries and offer guidance and support. They also offer delegates the chance to informally network with fellow members from the local area.

the Case Review number four

An analysis of local investigations and local decision appeals are just two of the topics explored in the fourth *Case Review*, a copy of which you will have received in your delegate bags at the Annual Assembly. Other topics include bullying, ethical standards officers' directions and some significant cases involving council leaders.

The publication provides a round-up of some of the most significant cases and decisions, emerging national trends and important lessons learnt so far.

If you would like an additional copy of

the *Case Review*, it is available for purchase at a cost of £15 per copy.

We also have a limited number of copies of the second and third *Case Reviews*, which examine: the role of members' private lives and disrepute; prejudicial interests and democracy; and confidentiality and the public interest. These publications, which are normally priced at £15 each, can be purchased together for £20.

To place an order call 0845 078 8181 or email publications@standardsboard.co.uk

CONTACTS

The Standards Board for England

First floor, Cottons Centre
Cottons Lane,
London
SE1 2QG

Telephone: 0845 078 8181

Minicom: 020 7378 5199

Fax: 020 7378 5001

Email:

enquiries@standardsboard.co.uk

Website:

www.standardsboard.co.uk