

## **Sixth Annual Assembly of Standards Committees 15-16 October 2007, ICC, Birmingham**

### **Evolving standards**

**David Prince, Chief Executive  
The Standards Board for England**



I would like to thank the minister for his comments and to welcome you to our Sixth Annual Assembly of Standards Committees. The demand for seats at these conferences has increased year on year and this year's event sold out several months ago. So, as I said, thank you for being here, and congratulations on booking early.

This morning I am going to look back on the progress and achievements we have made together over the last 12 months. I will also look forward to your changing role, as you prepare to receive and filter complaints, and also to our role in overseeing the effectiveness of the local system.

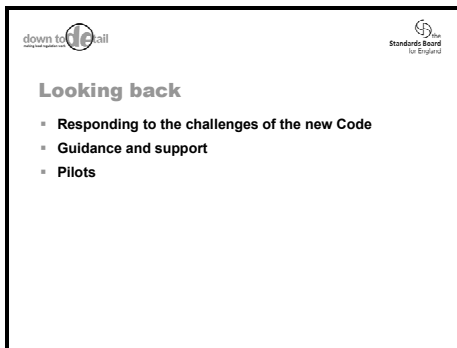
The changes to the ethical framework started to gather pace last year. And I can report good progress on all fronts in preparation for the changes we will be facing together.

Last year over half of all cases that needed to be investigated were handled locally by your authorities. And research we carried out during the year gives a generally positive picture of how you responded.

Standards committees continue to hold hearings into breaches of the Code of Conduct and make determinations. This function is now embedded into the local framework and, generally speaking, standards committees manage this process effectively and impartially. It is important that standards committees provide independent ratification of whether or not there has been a failure to comply with the Code. We also believe that local hearings, like local investigations, are important to ensure the local ownership of standards by all members.

We believe it is right that members should have their cases determined by their peers sitting alongside independent members. We believe this balance is important to ensure public confidence in the fairness and independence of the

system. This is why the government is increasing the contribution made by independent members serving on standards committees: and is requiring the chair to be an independent member where that is not already the case.



Authorities who chose to adopt it have now been working with the new Code for over six months. It was the result of very extensive consultation and, I believe, has been well received. It is certainly more enabling, more appropriate to members' roles as community advocates.

It is now much rarer for a member to find themselves with a prejudicial interest, for example.

There is still an unresolved issue about how the Code impacts on members when they are not acting as members. Our most recent understanding is that legislation currently before parliament will restrict its impact to behaviour which has resulted in a criminal conviction. And even then, it is possible that not all criminal convictions will be covered. As soon as we know, we will let you know.

We have received notification that over 3400 authorities have formally adopted the new Code so far. The provisions of the new Code actually applied to all authorities a fortnight ago, but you do need to formally adopt it and you do need to let us know.

59 authorities have, so far, chosen to amend their codes. While we recommend that, as a rule, authorities should not amend the model code because it has potential to create confusion for members of the public, all the amendments that we have received have properly reflected local choice and emphasis.

In May, the new Code came into force and we made our guidance available on our website the very same day. We have since distributed over 100,000 printed copies and continue to receive requests for more.

In June we talked to almost 1,100 members and monitoring officers in a dozen cities across the length and breadth of the country. Our roadshows told local government about the changes to the Code of Conduct and introduced the proposed changes to the system for dealing with allegations. Most importantly, it gave us the opportunity to listen to your concerns, hopes and anxieties. We have striven to respond to those in tailoring our guidance.

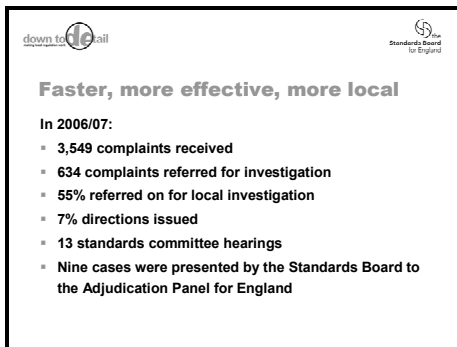
We also talked about the perennially controversial issue of bias and predetermination and issued our Occasional Paper, which members visiting our stand at the Party Conferences said was helpful to them.

36 authorities helped us to launch three pilot projects , designed to help us to help you prepare for your new role in receiving and filtering complaints and to prepare us for our new role both in support, but also taking the overview to guarantee consistent high standards and public confidence. Patricia will shortly tell you more.

In September we produced and distributed 'The Code Uncovered', a DVD on the new Code of Conduct, to every monitoring officer. It was designed as a training aid for members and the feedback I have received so far has been very positive.

We have continued to work with many other local government organisations in providing information and advice about the changes to the Code of Conduct. I want to mention the IDeA, particularly around the development of the ethical governance toolkit, LGA, ACSes, NALC, LGIU, SOLACE, The Audit Commission and the Ombudsman. Increasingly, we are working with the local government sections of the main political parties, both in addressing their concerns but also in talking about the need for members to put their own houses in order, particularly around the issue of vexatious complaints. I believe good progress has been made.

And, in the meantime, we've moved home. We are now based in Manchester. In fact, the move went remarkably smoothly, for which great credit goes to my colleagues, and hopefully, no one in the audience suffered any reduction in service while we were in transit or settling in.



The slide features the 'down to the nail' logo on the left and the 'Standards Board for England' logo on the right. The main heading is 'Faster, more effective, more local'. Below this, it lists statistics for the period 'In 2006/07:'.

Year	Complaints received	Complaints referred for investigation	Referred on for local investigation	Directions issued	Standards committee hearings	Cases presented to the Adjudication Panel for England
2006/07	3,549	634	55%	7%	13	9

I would like to bring you up-to-date on our work since last year's assembly.

In terms of cases, the overall number of complaints is very slightly down but year on year remains stable. Clearly the public continues to be concerned about high standards and to want redress when they feel they have experienced otherwise.

Referrals are down on last year. We strive continuously to filter out trivial, vexatious complaints and have concentrated our resources on the most

serious allegations, which have the potential to damage public confidence in the actions of local government. Our advice to you is do the same.

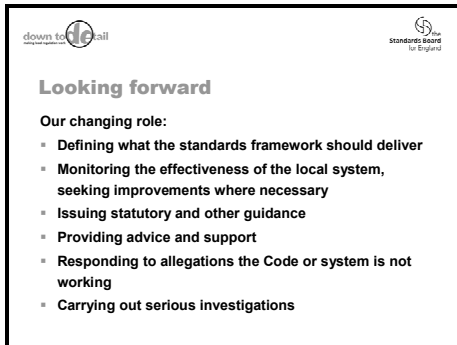
We have remained committed to referring complaints locally for investigation unless there is a public reason not to. And these figures reflect this.

44 directions were issued, an increase on the previous year. That is when the ESO works closely with the monitoring officer to find an active solution to deep seated problems, rather than completing an investigation. We believe that they have great potential to find pragmatic solutions to personality clashes and behavioural problems which lie at the heart of many complaints.

As you can see, there has been a decrease in standards committee hearings and in cases passed to the Adjudication Panel for England. We believe this is due to conduct improving and greater awareness of the Code, not least because of local hearings and investigations.

There is evidence to back that up in research carried out for us by BMG. 93% of those who responded supported the requirement for the Code and nearly half of those who responded thought conduct had improved. That was up from 27% who thought the same thing two years ago.

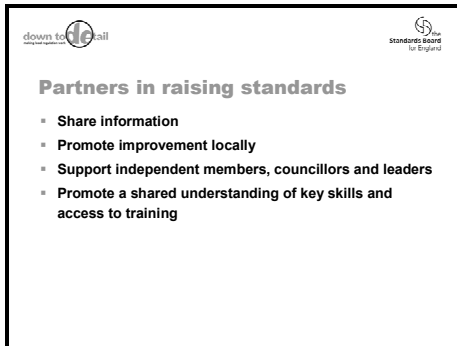
And we have achieved our aim of completing 90% of cases within six months. The challenge now, is to see if we can improve that still further while supporting you in ensuring that investigations are both timely and fair.



The slide features two logos at the top: 'down to the nail' on the left and 'Standards Board for England' on the right. The main heading is 'Looking forward'. Below it, the text reads 'Our changing role:' followed by a bulleted list of five items.

- Defining what the standards framework should deliver
- Monitoring the effectiveness of the local system, seeking improvements where necessary
- Issuing statutory and other guidance
- Providing advice and support
- Responding to allegations the Code or system is not working
- Carrying out serious investigations

As your role continues to change, so does ours. This is what we will be focusing on. As you can see, it is a mixture of making sure the system works, supporting you in making it work, and only getting involved in cases when we really need to.



We will continue to work with the national bodies I mentioned earlier to share information and promote improvement locally.

Many are represented at the conference and will be working with us to deliver sessions or hold Fringe meetings this evening.

We will continue to develop our relationship with the Audit Commission on issues such as proportionate regulation and information sharing.

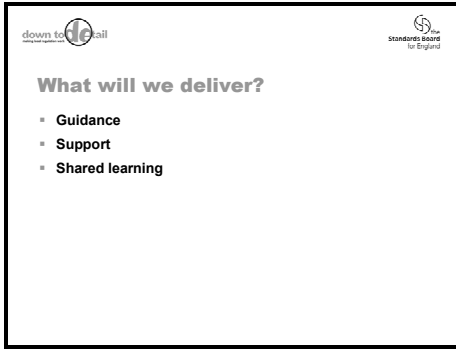
We will also work with the Audit Commission to ensure that standards issues are incorporated into the comprehensive area assessments and contributing to the Commission's work on the preparation of risk judgements for councils.

We are working with the Improvement and Development Agency, the National Association of Local Councils, and the Local Government Association in supporting councillors in their roles.

We will continue to work with representative bodies for independent members and standards committees as appropriate. The Board also has formal relationships with its counterparts in Scotland and Wales.

We will work with the Association of Council Secretaries and Solicitors and the Society of Local Council Clerks in order to support monitoring officers and clerks, and will continue to work closely with those organisations representing the leadership of authorities such as the Society of Local Authority Chief Executives - in order to embed the importance of standards and conduct issues to the corporate governance of their authorities.

The Board will continue to work with a range of academic institutions, in developing our research. And we will work with training providers, in order to promote a shared understanding of and access to the key skills and knowledge required by councillors and others to operate the local standards system effectively.



So, what can you expect from us over the next twelve months?

We will do everything we can to ensure that standards committees and monitoring officers are confident in their roles and that the system is operated effectively at local level. We will provide guidance and information on how to manage cases locally, via delivery of strategic framework guidance and performance monitoring. We will also provide support to authorities that are failing to operate the local system effectively. We will identify, share and communicate information on trends in case handling performance and outcomes of cases.

As I said, we've all got a lot to do. It's been a busy year, its going to be a busy year for all of us. But I do believe that the building blocks for the future are in place, the Code is in good shape and that its local ownership and operation has to be right.

Thank you for listening to me. I look forward to hearing from you over the next couple of days.

**David Prince**  
**Chief Executive**  
**The Standards Board for England**