

**Title of Report :** Standards Board Annual Assembly – October 2007

**Report of :** Head of Legal & Democratic Services

**To :** Standards Committee

**Date :** 7<sup>th</sup> December 2007

### Summary and Recommendations

**Purpose of report :** To report on the Standards Board Annual Assembly held in Birmingham in October 2007

**Key decision :** No

**Portfolio Holder :** N/A

**Scrutiny Responsibility :** N/A

**Ward(s) affected :** All

**Policy Framework :** None

**Approved by :** Legal  
Finance

#### **Recommendations :**

That the report be noted.

1. The Chairman and I attended the Sixth Annual Assembly of the Standards Board for England held in Birmingham on the 15<sup>th</sup> and 16<sup>th</sup> October 2007.
2. The theme of the Assembly was 'Down to detail : Making local regulation work'. As is usual with each Assembly the event was both highly 'polished' and anticipating another major change in the ethical framework for local government. Last year the Assembly was anticipating the revised Code of Conduct, this year it was the introduction of the 'local filter'. I report separately elsewhere on the agenda on that anticipated change.

3. All course material and transcripts of speeches from the event can be accessed on the Standards Board website or by direct link ([www.annualassembly.co.uk](http://www.annualassembly.co.uk)). I append to this report a 'conference round-up' produced by the Board.
4. I set out below some selective points of interest. The Chairman may wish to add several others at the meeting.

### **Timescale for local filter**

The aim is to introduce it in April 2008. Several speakers, quite properly, exhorted the Minister/DCLG to publish the necessary Regulations in sufficient time for Authorities to make proper arrangements.

### **Revision of Code**

The Parliamentary Under Secretary of State at the DCLG, in his address, referred to the likelihood of revisions to the Code of Conduct in the New Year.

### **Resources**

It is clear that no additional resources will be forthcoming from central government.

### **Statistics**

In 2006/07 the Board received 3,549 complaints. Of those 634 were referred for investigation (55% locally). Only 9 cases were referred to the Adjudication Panel.

### **'Local Filter' Pilot**

The average referral rate (i.e. cases referred for investigation) for the Board is 3 out of 10. The average referral rate by authorities piloting the local filter was 6 out of 10.

### **Personnel**

The Chair of the Board, Sir Anthony Holland, and the Vice-Chair, Patricia Hughes, are both standing down in July 2008 and the Board are also presently advertising for a Chief Executive to replace David Prince.

### **Comprehensive Area Assessment ('CAA')**

The CAA will have as a 'line of enquiry' the extent to which the means of making a complaint and the manner in which it will be dealt with is well publicised.

## **Recommendations**

5. That the report be noted.

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Background papers – None.

# It's down to you

Closing this year's Annual Assembly, his last as Chair of the Standards Board for England, Sir Anthony Holland considered the importance of the work carried out by standards committees and monitoring officers.

He said: "Sometimes I reflect on the reasons why I have spent seven years at the Standards Board for England... coming here to this assembly immediately provides the answer.

"I do have a deep-seated and abiding belief in doing the right thing, in ethical conduct, in integrity. I know that this belief is shared equally deeply by all of you in this audience, the monitoring officers and the members of the standards committees both here and up and down the country.

"When I used to admit solicitors to the Roll at the admission ceremony

at The Law Society, I used to emphasise above all the importance of integrity and of trust, of always doing the right thing even when no one is watching you. The personal reputation that one has is everything, and the Code of Conduct only encapsulates what most of us want to do anyway.

"The public has a deep yearning for truth and honesty in public life and that is where you, the monitoring officers and the standards committees, have a key role to play."

“**The Code of Conduct only encapsulates what most of us want to do anyway.**”

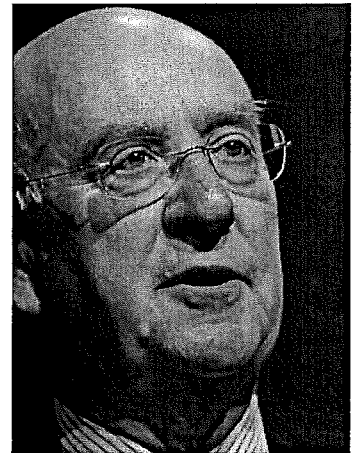
## See you in 2008

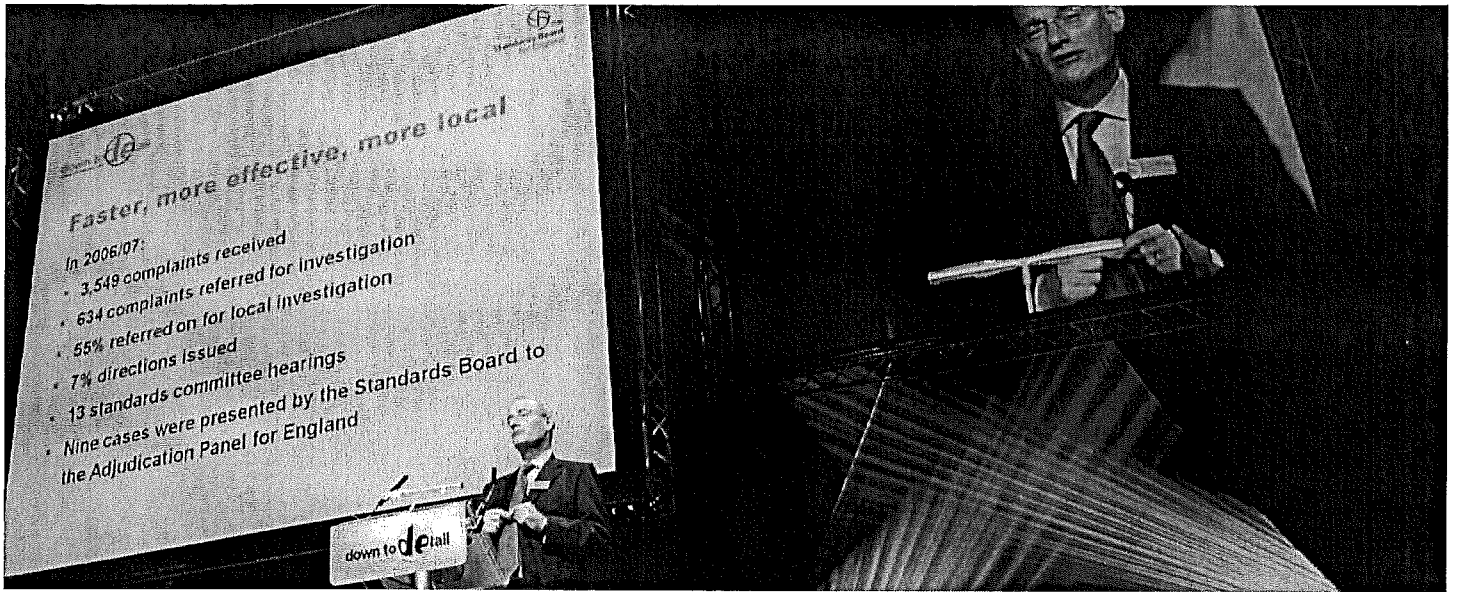
Planning has started for next year's Annual Assembly and we already know where and when it will be held. The event will again take

place after the party conferences at the ICC in Birmingham, on Monday 13 and Tuesday 14 October.

The theme and content are yet to be finalised, but it is likely that one focus will be the opportunity for authorities to share their experiences of receiving complaints, deciding what to investigate, and reaching outcomes that help build public confidence.

In the meantime, put the dates in your diary and be prepared to book early in the new year when we send out the details of the 2008 conference. This information will be sent both to those who attended this year and those who missed out because they didn't book quickly enough in 2007.





This year's Annual Assembly featured a variety of sessions, ranging from debates to workshops and Q&A events. These summaries give you a flavour of some of the delegate discussions that took place.

**The Local filter: In detail**

In these sessions, delegates were taken through the local filter process from handling the initial complaint to evaluating the outcome.

There were eight sessions in all. Some catered specifically for monitoring officers, others for standards committee members and some were designed for a mix of delegates.

A recurring theme was concern over the size of

standards committees, and their ability to effectively manage the conflict issues at different stages of the case handling process when changes to the new framework are introduced. Details of the joint arrangements pilot trial, which is a possible solution to this, can be found on page 5.

Sub-committees, as mentioned in Deputy Chair Patricia Hughes' speech on day one, could also solve the problem of a standards committee having few members. These could be set up to handle different stages of the process and might lead to a more effective use of resources, as fewer members would be excluded from the system due to conflicting interests. Other issues raised included the impact of

the new framework on resources and workloads. One of the benefits of the local filter pilots was that they eased the transition for participants and allowed them to understand the impact on resources. However, delegates requested further Standards Board guidance on solutions to practical problems that could arise.

Many also said that the flowchart for filtering complaints was an invaluable aid as it helped members focus on problems and cooperate in finding solutions. A copy of the flowchart is available in the Session materials section of our Annual Assembly website.

Guidance on the process for filtering complaints and on the Code of Conduct was

requested by several delegates. The Standards Board has recently produced a DVD on the Code of Conduct. We have also published factsheets, which, when used together with existing guidance on the Code of Conduct, offer clear explanations about potentially difficult parts of the revised Code. Both the guidance and the factsheets are available from [www.standardsboard.gov.uk](http://www.standardsboard.gov.uk)

**Download our conference material**

Material from this year's conference is now on our dedicated Annual Assembly website. You can find speeches, handouts and presentations under 'Session materials' in the programme section of [www.annualassembly.co.uk](http://www.annualassembly.co.uk)

# Breakout sessions

## Day one

Below is a brief summary of the issues and topics raised in some of the breakout sessions from day one.

While the revised Code of Conduct contains no specific definition of bullying, many delegates attending **Cracking the revised Code** suggested that bullying is an important provision of it. Please see our factsheet on bullying and the Code, which is available from our website, for more details on this issue. The session also referred to equality provisions and to speeches made earlier in the day, which called for increased recognition of the importance of standards of behaviour.

Delegates who attended **Referrals: Lessons learnt** felt that the toolkit for the assessment process should be disseminated as soon as possible. There were also calls for additional guidance on matters

such as predetermination. The Standards Board recently published information on this subject in an occasional paper called *Predisposition, predetermination or bias, and the Code*, which can be found on the publications section of our website.

It was suggested that more information is required on the timescales for obtaining correct facts in **Investigations: Tackling complex cases**. One member of a standards committee said they now had a better idea of the length of time it takes to write up complex reports and the kind of information necessary for such reports.

Delegates were given the opportunity to speak directly to representatives of the Standards Board in two **Q&A sessions**, one catering for standards committee members and the other for



monitoring officers. In their session, monitoring officers voiced concerns about putting in formal constitutional arrangements, given that government regulations have not yet been issued. A panel of Standards Board members urged officers to work on the basis of what they already know and to amend arrangements later, if necessary.

## Day two

**Practical mediation skills** showed how mediation could be used to resolve disputes and to reduce the potential of a complaint leading to a full investigation. While the session highlighted that not all situations can be mediated, it stressed the importance of managing relationships if authorities are to be run effectively.

In **Positive about towns and parishes**, delegates heard a series of short presentations on how to work effectively with their town and parish representatives. Several delegates emphasised the importance of more training and a better understanding of the Code among parish councillors. The significant role that monitoring officers and county associations play in leading to a greater awareness of the Code among parish councils was also stressed.

The session entitled **State of independence** aimed to help independent chairs and members build the skills necessary to respond to challenges presented by the local filter. Delegates from newly-created committees felt the interactive session was particularly useful as a training tool.

# Fringe sessions

The 2007 Annual Assembly featured several optional fringe events that covered a range of diverse subjects currently affecting local government.

**Parish councillors: Community champions** gave an insight into the innovative and diverse work councillors are involved with across the country. The reception which followed also gave an opportunity for

networking and sharing experiences.

**Guardians of good governance, the code and the law – mission possible?** by the Association of Council Secretaries and Solicitors (ACSeS), was an open debate on the role of monitoring officers and looked at the support needed by monitoring officers from organisations such as ACSeS to make their jobs work.

The session called **Promoting the interests of independent members: Current and future challenges** was an open discussion held by the Association of Independent Members of Standards Committees in England (AIMSce).

And **Partnership, ethics, governance and citizen redress** presented an opportunity for delegates to hear about

the Local Government Ombudsman special report *Local Partnerships and Citizen Redress*. The report, produced in conjunction with the Improvement and Development Agency for local government (IDeA), showed the effects of considering partnerships with authorities.

# Settling the score

**What's the score?** – the main session on day two of this year's Annual Assembly – was an open discussion on the current ethical framework. Chief Executive David Prince chaired the session and was joined by three guest speakers who presented the results of studies on the regulatory framework.

Dawn Hands, Research Director and Board Director at BMG Research, revealed that many of those forming

the bedrock of the new framework are aware of the changes lying ahead. Nearly all monitoring officers (99%) and the majority of standards committee members (90%) said they knew of the changes. However, concerns were raised over the level of awareness among town and parish authorities – with 30% not aware.

Similarly, less than half of town and parish authorities felt that their monitoring officers were ready for the transition (44%).

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Alison Kelly, Strategy Adviser for Governance and Accountability at the Audit Commission, spoke next. She said that findings from the ethical governance diagnostic self-assessment surveys show a general picture of readiness and that authorities are actively encouraging high standards.

However, the responses suggest many require a greater awareness of the roles and responsibilities of standards committees.

They also state that the importance of the ethical framework and the work carried out by standards committees needs to be communicated more widely, bringing a culture of high standards into the mainstream.

The final session speaker was Jessica Crowe, Executive Director of the Centre for Public Scrutiny (CfPS) and member of the Department for Communities and Local Government's Local

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Councillors' Commission, who compared the work of scrutiny and standards committees.

Jessica highlighted the importance of leadership among standards committees and pointed out the value of having independent members working alongside elected members. She also stressed the importance of taking transparent decisions, reflecting one of the principles in the CIPFA/SOLACE (Chartered Institute of Public Finance and Accountancy/Society of Local Authority Chief Executives) good governance framework, and having an open culture which supports this.

David reflected on the speakers' comments and noted that culture and leadership were areas for further focus.

He also responded to questions from delegates and summarised that high standards are a cornerstone of good governance, which is essential to ensure the delivery of good services.

# Putting pilots into practice

## Results of our recent local filter pilot trials were revealed at this year's Annual Assembly.

More work has been done since, and the Standards Board for England believes that the pilots can be used to determine how the new ethical framework could be implemented.

Patricia Hughes, Deputy Chair of the Standards Board for England, spoke about the three pilots in the conference's opening session.

The first aimed to measure how authorities carried out their decision-making. Patricia said its results show that standards committees may adopt lower referrals thresholds than the Standards Board. The results also suggest that, in future, standards committees might recommend alternative measures to

investigation, for example, member training.

Details of the second pilot, which investigated joint arrangements, were also discussed. This pilot examined the scope for standards committees working together and assessed the impact this would have on resources. The pilot offered four different types of joint working structures, with most participants preferring a joint structure handling the local filter function.

Feedback from delegates attending the conference suggests there is a demand for the use of joint arrangements, as this could solve the problem of recruiting enough independent members for standards committee panels.

Preparation for a third pilot to develop the Standards Board's

future monitoring and auditing arrangements is currently underway.

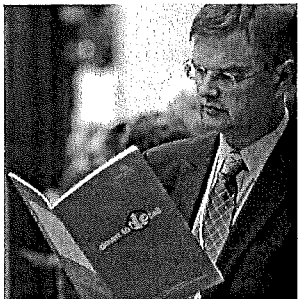
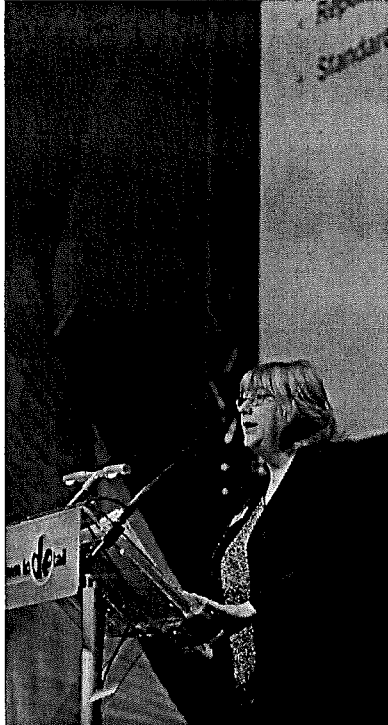
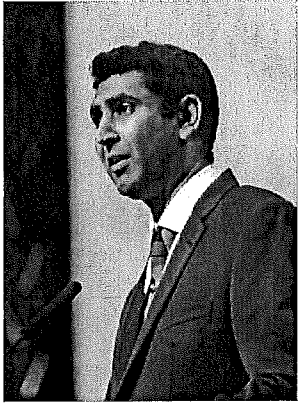
This pilot is creating an online information return system for use by monitoring officers on a quarterly basis, which the Standards Board hopes will aid its evolution as a light touch strategic regulator.

The online tool aims to provide authorities with their own complaint tracking system, which will in turn be risk-assessed by the Standards Board.

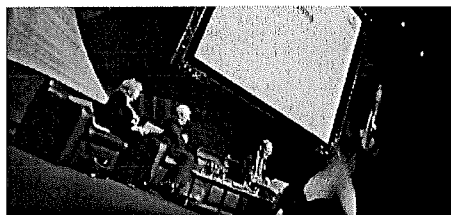
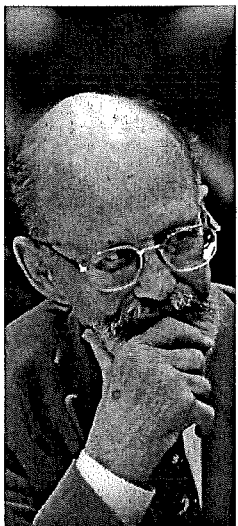
Final touches are being made to the system, which the Standards Board hopes to make available as soon as possible.



# Conference in pictures



## Your thoughts



**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 Sixth Annual Assembly of Standards Committees:**

“Excellent at imparting understanding of the issues standards committees face when local filtering is introduced.”

“Best sessions were the practical ones – more of those please.”

“All speakers were very knowledgeable. An excellent, very useful conference.”

“It would be very helpful if future conferences had some sessions focused on police authorities.”

“Most useful event I have been to for years.”

“Slightly more time for workshops – those I attended were very good, but more time would have allowed for more depth.”

“It has spurred me on to go back and get the standards committee to 'up its game' and to start formulating some of the decisions and actions we need to make a start on.”

“Very professional, well-planned event – thank you, it has been invaluable.”

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