



FOURTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES – SEPTEMBER 2005 – A BRIEFING NOTE

Past Performance

The Standards Board for England reported that over the last twelve months the handling of cases by the Board had dramatically improved.

The Standards Board for England has focused on the most serious cases and have determinedly weeded out the frivolous, vexatious and politically-motivated cases.

On average new complaints are initially processed within ten working days.

62% of complaints are made by the public.

22% of cases are eventually referred for investigation of which 34% are investigated locally and 9% of cases are determined locally.

71% of cases are completed within 6 months.

The Future Vision

The Standards Board for England is turning into a strategic regulator, focusing on the most serious cases, reducing the size of their investigations team and refocusing resources to support Standards Committees in their core purpose of improving confidence in local democracy.

The Standards Board announced that the focus is shifting towards local responsibility for, and ownership of, standards of conduct.

Mr David Prince, Chair of the Standards Board, stated “Regulation works best with a light touch, but should never be seen as a soft touch. We want a clear set of rules that everyone can follow and own. And most of all, we want local authority members to live the Code, supported by their standards committee who, in turn, will be supported by us.....’

Decision by the Government Awaited

A decision by the Government is awaited on whether amendments to the Code will be made and if so any such changes are anticipated sometime in 2006.

The feedback from the consultation process on the provisions of the Code has been interesting.

In addition, the Government has to choose between two views of where the complaint filtering process should rest, locally or nationally.

Sir Alistair Graham, Chair of the Committee on Standards in Public Life, reported the findings which called for greater local involvement and ownership of the ethical framework and liberalisation of some aspects of the Code of Conduct.

One of the key recommendations is that complaints should be handled and filtered locally by standards committees, with the Standards Board auditing and maintaining the system and handling only the most serious cases.

On the other hand, the ODPM's Select Committee reported that "central initial assessment of complaints by experienced officers applying a consistent set of criteria is one of its [the system's] unique strengths".

Initial findings from research by MORI indicate that the central approach is preferred by 46% to a local council approach which attracted only 28% support. Independent regulation was preferred by the public.

Referral by Standards Board for England for local investigation

Whilst the filtering process remains centrally based (at least for the time being), there have since January 2005 been 34% of cases referred for local investigation, with another 9% of cases referred for local determination.

The Standards Board for England predicts that by 2007 half of all cases would be investigated or determined locally. Ethical Standards Officers have been mindful of the need for Standards Committee to bed down their procedures etc. and had taken a relaxed view on referrals. This is changing.

Ethical Governance

It was made clear that the successful local ethical agenda is the one owned and driven locally, the one that is part of the day job and the ways things are done daily. That is why the Standards Board for England have worked with the IDEa and the Audit Commission to jointly badge the Local Government Diagnostic, and why the ODPM has provided support through the local capacity building fund.

The Local Government Diagnostic consists of a comprehensive audit, a member survey and interactive workshops.

The Standards Board for England noted that culture starts at the top. Which is why the Standards Board have been working with leaders and chief executives. Their relationship and behaviour set the pattern for the entire authority. If ethical behaviour is on their agenda it will be on everybody's.

Comprehensive Performance Assessment

The Standards Board for England has worked with the Audit Commission to add an ethical component to the capacity section of the new CPA.