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We have a lot to look forward to in 2006, and a lot to plan for.

The government responded in December to our recommendations on the Code of Conduct, and the reports of the Committee on Standards in Public Life and the select committee on the Office of the Deputy Prime Minister. At the heart of the government's plans is the desire to devolve decision-making to local authorities and give standards committees a more pivotal role in the ethical framework, and some of the plans involve significant change for local authorities and the Standards Board.

One of the key proposals, of particular interest to local authorities, is the government's decision to adopt a 'local filter' approach to considering complaints. Although this system is unlikely to come into effect until at least 2008, there is a great deal of work ahead of us to ensure authorities are fully prepared for the workload and challenges it will bring. The government has also accepted our recommendations for improving the Code of Conduct. We are pressing the Office of the Deputy Prime Minister to implement these changes as soon as possible, and ensure a smooth transition from the current Code to the new one. You can find more details on these plans in the following item.

Preparations for the Fifth Annual Assembly of Standards Committees are now well under way too (more inside), and staff will soon begin moving to a new premises in Manchester as the first phase of our office relocation. And while we work on these critical projects and continue to develop our strategic functions, we will, of course, maintain the same level of support and guidance to members, monitoring officers and standards committees.

David Prince, Chief Executive

Standards committees at the heart of local government plans

The ethical framework will support more devolved decision-making and there will be consistent public confidence in standards of conduct according to the vision for local government outlined by the Office of the Deputy Prime Minister in December. That's the theme of the department's discussion paper, *Standards of Conduct in English Local Government: The Future*, which outlines, amongst other things, plans to revise the Code of Conduct, devolve decision-making powers on allegations to standards committees, and develop the Standards Board for England's strategic, advisory and monitoring functions.

The Minister for Local Government, Phil Woolas MP, launched the paper on 15 December 2005, stating: "Our aim is to ensure that a culture of good conduct persists in local government and to put in place strategic support to

enable councillors and local standards committees to manage conduct issues effectively."

The paper includes the government's response to reports by the Committee on Standards in Public Life and the parliamentary select committee on the Office of the Deputy Prime Minister, as well as our own recommendations for the future of the Code of Conduct.

Raising standards

The paper accepts all our recommendations on the Code of Conduct and signals the government's support for a simpler, more proportionate Code, providing a clearer focus on the issues that really matter (see *Bulletin 26* for details).

It also sets out a continuing central role for the Standards Board within local government, championing and promoting high standards of conduct. But with an increasing focus on local decision-making, the majority of investigations will be conducted at a local level, enabling us to develop our more strategic functions of providing guidance and support to local authorities.

Our first priority will be to provide guidance on the new Code of Conduct as soon as it comes into effect. We have already started work on this and you can read more about it in the panel below. We do not yet have a confirmed timetable from the Office of the Deputy Prime Minister for the introduction of the new Code, but we are working with them on the plans. We are keen to see the changes implemented as soon as possible but have stressed the importance of getting the details right. We understand the Office of the Deputy Prime Minister plans to consult on the exact wording on the Code and it would be a shame if the process was rushed through such an important final stage.

We will also be developing more resources to help authorities with their training requirements, developing a training framework, information and guidance for trainers, and more materials like the local investigations DVD which can be used in training. And we will set standards for monitoring officers and standards committees and support authorities with ongoing self-assessments.

Key recommendations

- Proposals for a new Code of Conduct accepted in full.
- Standards committees to assess allegations.
- All standards committee chairs to be independent.
- Local authorities to conduct the majority of investigations.
- Standards Board to oversee framework and develop strategic functions.

Devolved decision-making

The government agrees with the recommendation of the Committee on Standards in Public Life that allegations of misconduct should initially be received and assessed by standards committees. This local filter system will place standards committees at the heart of decision-making in the ethical framework and give authorities greater responsibility for the conduct of their members.

The Standards Board would oversee this process, ensuring consistency and quality of decision making and retaining an investigative role for serious cases referred to us by standards committees.

In line with these increased responsibilities, the government proposes a number of reforms to the operation and composition of standards committees, most notably that all standards committee chairs should be independent members (apolitical, appointed representatives). This measure is designed to ensure that committees are seen by all parties to be politically neutral and at arms length from the executive.

The local filter system requires primary legislation, and we believe it will be 2008 at the earliest before it is introduced, giving us time to establish appropriate processes and develop training and guidance materials.

The announcement is on the Office of the Deputy Prime Minister's website. It includes a link to the full discussion paper and information on ordering a printed copy free of charge. For more information, follow this link:

www.odpm.gov.uk/index.asp?id=1002882&PressNoticeID=2045

Future guidance

With the introduction of a revised Code of Conduct, we will be producing fresh guidance to help members and others understand their responsibilities.

We will issue a general leaflet to explain what has changed and re-issue the popular mini guide on the main provisions of the Code. Some proposals may require more in-depth guidance depending on the final wording of the Code.

We anticipate some significant changes in the area of personal and prejudicial interests, for example, such as allowing members with prejudicial interests which arise

through membership of other public bodies to speak in certain circumstances (but not vote). Other areas which we feel may require more detailed guidance are confidentiality and public interest and bullying and how to report it.

We will aim to have the general leaflet in place for when the Code comes into force

As part of our ongoing approach to guidance, we also intend to revise and produce a new *Case Review* later this year and intend to provide guidance for standards committees on appropriate sanctions.

The Adjudication Panel for England has issued its full judgement in a case concerning Councillors Dunn, Hitchins, Fox and Vaja of the London Borough of Islington. The tribunal found that the members did not breach the Code of Conduct.

The tribunal had no doubt that the investigation was entirely warranted, but expressed serious reservations about the investigation process.

We are deeply concerned by those reservations and are examining them urgently and thoroughly. We will then determine what lessons need to be learnt and what actions need to be taken. That includes considering the legal framework within which investigations are

conducted and the independence afforded to ethical standards officers.

While this case was complex, we regret that it was not completed quicker. As readers will be aware, 90% of cases are now investigated within six months, costing an average of £7,000. Over the past three years, 283 cases have been presented to the tribunal, and they have found the code was broken in 92% of cases. In this case they did not, and we respect their findings.

The full written decision of the Adjudication Panel for England is available from its website at:

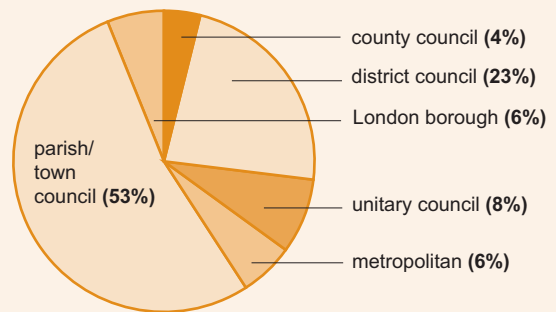
www.adjudicationpanel.co.uk

Referral and investigation statistics

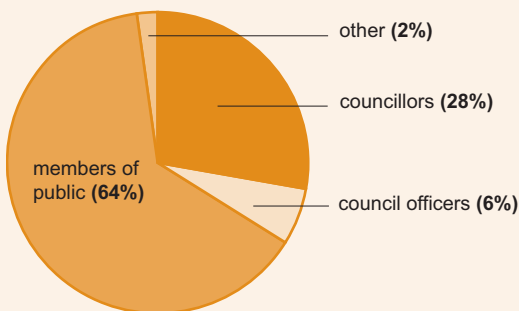
The Standards Board for England received 496 allegations in October, 284 in November, and 238 in December, giving a running total of 2949 for the current financial year.

The following charts show referral and investigation statistics for that period.

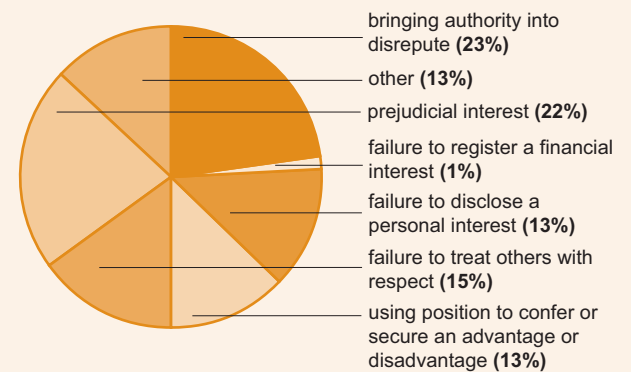
Authority of subject member in allegations referred for investigation



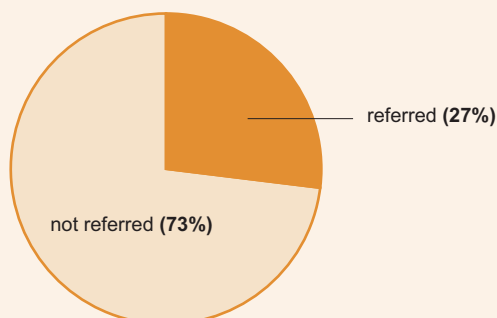
Source of allegations received



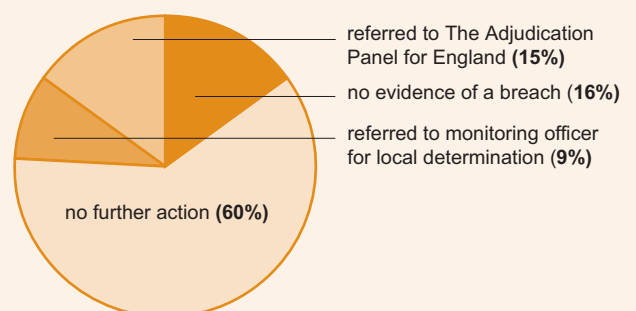
Nature of allegations referred for investigation



Allegations referred for investigation



Final findings

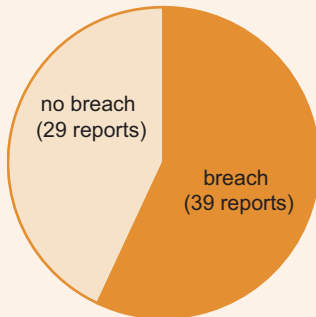


Local investigation statistics

Ethical standards officers referred 291 cases for local investigation between 1 April and 31 December 2005 — equivalent to 44% of all allegations referred for investigation during that time.

Of those 291 cases, we have received 68 reports. The following charts illustrate the outcomes of those cases.

Final findings in local investigations



Standards committee determinations



Revised referral criteria for local investigations

The criteria used by ethical standards officers to assess whether a case is suitable for local investigation have been reviewed and updated. The new criteria should see more cases being passed to monitoring officers for local investigation, now that the regulations have been in place for over a year.

This policy of increasing the number of cases suitable for local investigation also ties in with the government's plans for increased localism in decision making in local government.

The revised criteria are as follows:

- We will retain only those cases where the allegation, if proven, will undoubtedly warrant sanctions by the Adjudication Panel for England. Previously, all cases which *might* have warranted a sanction were retained. Monitoring officers may, of course, ask the ethical standards officer to take a case back at any time during the investigation if they believe the case may warrant such a sanction. All requests will be assessed on a case-by-case basis.
- We will now assess allegations against members of the executive on a case-by-case basis, instead of automatically retaining those cases. The determining factor will be whether the local investigation processes can, and will, be seen to unfold fairly, regardless of the subject member's or complainant's status.
- From now on, we will be less willing to retain cases in which the monitoring officer expresses a conflict of interest. We have been very willing up to now to

accept that conflicts of interest could make it difficult to refer cases locally. However now that the system has had a chance to bed down, monitoring officers who find they have a conflict of interest in a case should be able to delegate the investigation, outsource it, or call upon reciprocal arrangements with other local authorities.

- We will continue to give some latitude to monitoring officers of smaller authorities which do not have the resources to carry out several investigations at one time.

Local investigations DVD gets January release

The eagerly-anticipated DVD, *Going Local: Investigations and hearings*, was completed last month and sent to all monitoring officers on 4 January 2006. The film focuses on the fictional case of Councillor Jones, who has been accused of failing to declare an interest.

The programme highlights some of the challenges that may arise during an investigation and hearing. Learning points and commentary punctuating the film offer tips and advice on addressing areas such as difficult interviews and the pre-hearing process.

The film is intended as a training aid for use with monitoring officers and standards committee members. We hope it prompts useful discussion and is a valuable addition to our existing guidance.

Additional copies are available for £38 each. To place an order, or to ask any questions about the DVD, please contact the Communications office on 020 7378 5028 or email claire.holyoake@standardsboard.co.uk.

A conference tailor-made

Members and officers will have the opportunity to examine how well their own authorities are meeting the challenges of the ethical framework when the Annual Assembly of Standards Committees returns to the International Convention Centre in Birmingham for its two-day conference on 16 and 17 October 2006.

This year's conference, *Bridging the gap: towards effective local regulation*, will build on the foundations laid in 2005 and encourage local authorities to assess their current performance. Where is your authority now in terms of delivering on the criteria that the ethical framework, your community, and others within the local government family, expect of you, and how are you rising to the challenges that you face?

Bridging the gap

Last year's theme demonstrated a shift in focus by positioning standards committees as the ethical standard bearers in their communities, responsible for shaping the ethical agenda, putting it into practice and moving it forward in the future.

This shift away from the ethical agenda being something that is owned by the Standards Board for England and towards it being the responsibility of standards committees was well received by delegates, according to both anecdotal evidence and more formal feedback collected through delegate questionnaires.

But feedback and experience suggest that there continues to be a considerable range of skills, interests and experience among delegates. We understand that you want the opportunity at the conference to focus on the issues that are of most relevance to your particular authority, while still contributing to debates on some of the wider issues of the ethical agenda, sharing your experiences and networking with others.

The Fifth Annual Assembly of Standards Committees will enable you to do just that. As a delegate, you will be encouraged to identify and consider the strengths and weaknesses of your authority in a range of areas relating to the Code and the ethical framework. And, while taking the opportunity to share your strengths and experience with others at the conference, your main focus will be on addressing your authority's unique needs and establishing some key milestones for implementing changes and improvements moving forward.

A focused approach

This practical approach enables us to address a whole range of issues without compromising by taking an overly narrow focus, which may alienate some delegates or authorities from attending.

The format of the programme will allow delegates to select sessions based on the needs of their authority or themselves as individuals. Sessions will be clearly

signposted as being of particular interest to specific audiences, such as new members or monitoring officers, but without excluding other delegates from attending if they wish to.

The overall effect should be one where all delegates get value for money — by attending a broadly-programmed conference with over 750 other people, delegates can network and share experiences with the whole group and elicit an experience that is of unique and practical relevance to an individual's circumstances. What more could you ask for?

To register your interest in attending the conference, email annualassembly2006@standardsboard.co.uk. We will send you an invitation and booking form as soon as they become available.

Standards Board heads bid to support first tier development

The Standards Board for England, the National Association of Local Councils and the Society of Local Council Clerks are jointly bidding for funding from the Office of Deputy Prime Minister and Local Government Association's capacity building programme — an initiative established in 2003 to support improvement in local government. The programme aims to enhance and develop councils' confidence, leadership and skills, as well as developing their capacity to learn, innovate and share knowledge and expertise about what works and how.

The government's agenda for developing and encouraging more neighbourhood-based decision-making is likely to see an increased emphasis on bodies such as town and parish councils, and the funds will be channelled into providing support for these bodies.

Focus on local councils

Principal local authorities already have access to funding streams aimed at capacity building and leadership development, as well as peer support and inspection, but little of this support is replicated at the local council level.

We have come across a number of cases in the parish sector which show there are deficiencies in the way certain parishes are run, meaning that they are unable to provide the appropriate leadership to their constituents. The capacity building funds will be used to help us correct deficiencies of this kind and put systems in place to improve corporate governance, councillor leadership and the sharing of knowledge and expertise.

Pilot projects

Three pilot projects are being developed as part of the bid:

- a diagnostic toolkit, similar to the one already in use with principal authorities
- a peer mentoring programme
- a model compact between county associations and local standards committees

The diagnostic toolkit, based on the toolkit used for principal authorities, will help parish and town councils assess their progress in meeting the ethical agenda, anticipate problems, and suggest where improvements can be made.

The peer-mentoring programme will build capacity for good corporate governance in the parish sector by establishing a mentoring scheme to support members.

The model compact between county associations and standards committees will help the two parties work together to support parish and town councils. This will also assist standards committees support parish and town councils in their area in applying and interpreting the Code.

The bid will be submitted early this year and if successful, the three programmes will be further developed and piloted in the second half of the year. We will keep you informed of progress in future issues of the *Bulletin*.

The easy way to find case summaries

Improvements to the website's case summary archive launched in December make it even easier to browse case summaries and find what you're looking for. Standard search options are easier to use, advanced search options are more powerful, and new authority listings enable you to browse for case summaries by authority using alphabetical lists. To try it out, go to:

www.standardsboard.co.uk/cases/

Searching made simple

The main search page has been simplified to make it easier than ever to find a specific summary. You can search by case number, member or authority, and one click will return all the summaries on our site that match your search.

If you have trouble finding a summary, click on the help link, which includes hints and tips on using the search and some common reasons why the summary you want may not be on our site.

The a–z of authorities

In response to feedback, we have reintroduced the alphabetical authority listings, enabling you to browse lists of case summaries ordered alphabetically by authority.

Click on a letter of the alphabet to display a list of authorities beginning with that letter and click on an authority to display all current case summaries for members of that authority. If an authority is not listed, it means there are no case summaries on our site for any members of that authority.

The authority listings can be accessed via the link on the standard search page.

Advanced options

We have moved the advanced search to a separate page and introduced a keyword field which searches the main body of the summary for matching words — such as 'planning' or 'assault'.

The advanced search enables you to filter and sort case summaries by a number of categories and review cases with similar characteristics. These searches can be as broad or as narrow as you like, depending on your interests. For example, you can bring up all current case summaries involving a particular allegation or outcome, resulting in a particular standards committee or Adjudication Panel sanction, or completed during a particular date range. And you can combine these options to narrow the search.

Publishing policy

The length of time case summaries are available on our website is limited. All case summaries are removed from the site after a set period of time determined by the outcome of the decision and, where appropriate, any sanction imposed:

- If there is no evidence of a breach, the summary is removed six months after the case is closed.
- If no further action needs to be taken, the summary is removed two years after the case is closed.
- If the case is referred to the Adjudication Panel for England or local standards committee, the summary is removed two years after the case is closed, or two years after the end of any sanction if one is imposed.