

BABERGH DISTRICT COUNCIL

FROM: Chairman of Standards
Committee

REPORT NUMBER **E198**

TO: STANDARDS COMMITTEE **DATE OF MEETING** 11 November 2005

REPORT ON STANDARDS BOARD ANNUAL CONFERENCE 2005

1. Arrived in Birmingham on the Sunday night fairly exhausted. Sunday train travel is not recommended; trains cancelled at every stage meant a slow and tedious journey. However, the conference was worth it; it was very well planned and managed, and attended by a huge number of delegates.
And it was great to have Kathryn there too.
2. The main theme centred on the recently introduced arrangements for the delegation of investigations and hearings to local Standards Committees and the change in role of the Standards Board. This is now defined as one of 'support and critical friend' - apart from major cases which the Board will continue to handle themselves. A lot of the two days was devoted to making sure we local characters understood what we had to do and how we had to do it.
3. Things kicked off with the usual spiel from a government minister. More interesting was the contribution of David Prince, the Chief Executive of the Standards Board who outlined what had been achieved over the year and summarised the broad findings emerging from the review of the Code of Conduct. (I have arranged for copies of the full review to be made available for you) The main points were:
 - A simpler Code
 - Greater recognition of councillors' roles as community advocates
 - Definition needed of confidentiality in the light of the Freedom of Information Act
 - Public interest should be an admissible defence
 - Interests should be simplified
 - Private life only an issue if a serious breach of the Code is involved
4. Sir Alastair Graham, Chair of the Committee on Standards in Public Life then took over – my notes read 'very on the ball!' The vast majority of councillors do observe high standards, teething problems have arisen particularly for parish councils – a most welcome comment for those of us from rural areas.
5. Standards Board still needed as a national body but too top down and centralised. That provokes abuse of the system, ie all those politically vexatious and inappropriate submissions. Too high a number of 'no further action' cases suggests that local involvement is essential in order to filter these out. Reiteration of some of the key review recommendations ie
Sifting of complaints by local standards committees within a national framework regulated by the Standards Board
Only the most serious cases to be referred to Board. Board to act as auditor and even if necessary, to remove delegation function.
Chairs to be independent – plus a majority of independent members on local committees – not total agreement on this from delegates!
Support for monitoring officers

Costs - a thorny issue not fully acknowledged by any of the top chaps but of considerable concern to us delegates – were brushed aside by the Board with remarks about joint working between councils. Plus, of course, the incentive to sift out trivial, money wasting complaints, together with a reduction in the number of media scare stories we've all suffered.

6. The workshop sessions tended to concentrate on first hand accounts of investigations and hearings held by a range of different councils, most of them rather larger and far more political than we are used to. Scarborough had had to appoint an outside lawyer because of the level of antipathy towards officers that a case provoked. Very expensive. Advice from Slough was
 - strike up a good relationship with the Standards Board so that you can if necessary explain why you **can't** deal with a case eg workload, political bias, complexity etc. Berkshire has involvement across the county but there's some misgiving about potential workloads, just as we have. Sharing doesn't actually remove the cost!
7. Members worry about defamation issues and confidentiality – also about pre-judgements possibly being made at preliminary hearings. Two bites at the cherry can bring pitfalls. A question was asked about any other ways of resolving a complaint before request for Standards Board investigation. Could the Board seek more local guidance before referral to the local committee? Whole process very time consuming; is there a Third Way?
8. This led on to the session on Alternative Action. Because some really useful stuff appeared on this, I have brought the copy of the slides along to cover this fully.
9. Some further useful and highly practical advice was given by the City of Bradford's Monitoring Officer. An officer had revealed 'inappropriate' – guess what! use of a computer by a member during a routine computer service. The eventual action was to create a members' pack combining both the Code and the protocols of the council – and also the terms of reference of the Standards Committee and rules for investigations. Bradford, of course, has significantly more resources than us.....but it sounded sensible.
10. Hearings, he pointed out, need very careful planning. Choose the venue carefully; think about the lay out – who sits where, how visible is everything etc. Avoid Fridays – very draining! Experienced committee clerk needed. Think about the style of the hearing. Meet beforehand ; summarise what will happen; emphasise **factual character** of the hearing; agree who will deal with what issue; provide Chair's crib sheet and check list including adjournments; decision making in three stages
 - Determine the facts – may have to deal with disagreements in blocks if numerous
 - Decide breach or not
 - Announce
 - Agree sanctions if breach
 - Announce sanction
 - Thank everyone at the end.

Afterwards follow procedure very carefully and quickly for publishing, drafting and agreeing a reasoned decision statement. Follow up any action required as a result of the hearing.

Crucially ALLOW ENOUGH TIME for the hearing and don't rush through. Expect the unexpected!

11. All very useful stuff which hopefully, we do already know in principle but haven't much experience of so far.
12. Conference dinner on the Monday evening was a wow, excellent food and good company including our colleagues from Suffolk Coastal. I did actually find I knew quite a few people already.
13. Tuesday morning brought us to a big, all-delegate debate on public confidence. Very witty contribution from the public affairs correspondent for the Eastern Daily Press. Ethical issues not the point, he maintained. It's the government's lack of trust in us by not giving us the right powers. (Loud applause) Confidence a matter of accountability. Councillors always take the rap. Get the services right, that's the key.
14. Language critical; fit for purpose, pump priming, direction of travel and suchlike phrases create barriers. Need to change structure so that people – including the young – can participate on an ad hoc basis, say for 2-3 months instead of four years.
15. Professor Gerry Stoker, Manchester University, provided the academic gravitas element in the debate. Major public disengagement problem. Balance lost between trust and a healthy scepticism, this latter too great at the moment. Politics has become corrupt. Too much influenced by powerful interests. Too much spin and professional lobbying – democracy removed from people's hands. Cynicism of media – 'why are these bastards lying to us all the time' approach. Dynamic society where other activities don't leave time for political involvement – which is then handed over to campaign groups plus cheques. Need to find ways to stress the importance of community values and encourage people to opt in rather than out.
16. Richmond's Chief Executive listed five key success factors
 - Highly visible high quality services
 - Value for money
 - Good information – use of branding
 - Positive contact with residents
 - Accessible and ethical community leadership – and I thought she added 'personable' but maybe it was 'pensionable.....'

Some audience comments...this was quite a noisy session.....

17. Ministers bad behaviour rubs off on local councillors
Customer/consumer concepts breach the community service ethos central to local government
Political leader and Chief Executive must be able to engage in constructive dialogue
Standards Board is a sledgehammer to crack a very small nut – very few bad apples

18. Tuesday continued with a session called Communicating Good News. Standards Committees should seek the initiative. Language vital. Training vital. Cascade the message with the tools. Nurture the parishes. Send easy messages. Reduce ignorance. Much practical advice from Gerry Moore, Communications Manager for Kent. Interactive website should include Standards. Quarterly Bulletin? Use positives. Increase number of independent members.
19. MORI then identified some of the results of a recent survey on public perceptions of ethical standards in local government. 53% are satisfied with our ethics, but only 9% are very satisfied. Unsurprisingly to those of us used to doorstep visits, ethical matters hardly emerge as an issue at all beside the public perception of value for money. Be that as it may, MORI says the key drivers for satisfaction were
 - Money well spent
 - Councillors who do what they say they will do
 - Councillors who give priority to the interests of the community
 - Accessibility
 - And the most important qualities looked for were honesty and trustworthiness. Professionalism came last!
20. The Local Government Association then wound up with details of their work in this field.
21. Sorry to say that I missed out on the final session of the Conference in the interests of avoiding the Birmingham rush hour and its effect on that horrendous station. Even so, the platform for Peterborough was altered three times within fifteen minutes, (two after the scheduled departure time), which involved watching the screen, listening hard and dashing up and down stairs at a rate of knots with a large crowd of irate fellow travellers. It was quite nice to get home to my old cottage.
22. However, apart from the travel, this was a splendid conference which I found helpful and informative. But I still think the whole thing is heavily geared to large politically managed councils and the problems of small rural councils like ours are hardly recognised.