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Chair of the Standards Committee

Report on the Seventh Annual Assembly of Standards Committees 13-14 October 2008

I attended this event which is sponsored by the Standards Board for England and held at the International Conference Centre in Birmingham. Over 800 delegates attended representing the Standards Committees of most of the Local authorities in England, plus the Fire, Police and Passenger Transport Authorities.

The opening plenary session was addressed by the new Chair of the Standards Board for England, Dr Robert Chilton, who introduced the new Chief Executive, Glenys Stacey, and the new Minister, Sadiq Khan MP. The Minister apologised that he had to return urgently to London and that he would not have time for questions, but he confirmed that the last twelve months had been amongst the most important since the conduct regime was established in 2001. He commented on the success of the revised Code of Conduct, but told us that it was time to make further amendments and that all Authorities would be able to make comments on the consultative document now being circulated. The Minister concluded by emphasising that the Standards Board was there to support Local Authorities and that they should make the most of the organisation.

The first 'breakout' session I attended was a master class on the subject of 'alternative action' following an assessment hearing. The main point of the class was to explain that proposing alternative action rather than an investigation, possibly followed by a hearing, could be ineffective. Recent cases where alternative action had been decided upon were proving non-effective mainly due to the fact that subject members had refused to co-operate and had refused to take part in the remedial process. Assessment panels should be aware that they cannot re-visit the complaint once the decision has been made, and that a decision cannot be made conditional at the assessment stage. Discussing whether or not the Councillor would take part in the remedial action with the subject member should not be considered. If an Assessment Panel is considering alternative action, the Monitoring Officer's should be sought about the suitability of this action in the particular case.

Making an Impact was the title of the next plenary session and we were addressed by Dr Richard Cowell from the University of Cardiff and Sir Christopher Kelly, Chair of the Committee on Standards in Public Life, plus Ben Page from Ipsos Mori. Cardiff University are keeping statistics which currently show that the existence of Standards Committees is having a beneficial effect on standards in general and this was supported by Sir Christopher who provided further detail. Ben Page gave a lively talk quoting actual comments from a number of sources.

I attended a breakout session on the Code of Conduct. This failed to inspire mainly because of the Minister's announcement about the changes to the Code. It did highlight that some members, particularly those from parish councils, still did not fully understand the part of the

Code about declarations of interests. It was agreed that parts of the Code was written badly and this would be part of the changes for 2009.

On the morning of the second day I attended a question and answer session for Standards Committee Members. Unfortunately the session got bogged down discussing problems arising out of Parish Council meetings where Parish Councillors had failed to attend training on the Code, mainly citing that they believed their long service as a Councillor made it unnecessary, and there were now nearly 40 complaints to be dealt with. What was agreed was that training for all Councillors, particularly on the Code, is essential, and we were advised that the Standards Board were looking at this.

I attended a plenary session addresses by Dr Michael Macauley, a Reader in Governance and Public Ethics at Teesside Business School and Alison Kelly from the Audit Commission who were suggesting that Standards Committees should take part in other sections of a Council's business. Ms Kelly confirmed that a number of Standards Committees had been liaising with the Audit Commission as part of their Council's regular inspection and that this had been advantageous. She suggested that Chairs of Standards Committees should have regular discussions with senior officers, the leader of the Council, and group leaders to discuss the possibilities. Dr Macauley suggested a number of areas to consider.

My final session was presented by Simon Bird, President of the Adjudication Panel, and Mike Jones, Principal Legal Adviser to the Standards Board. This was a table session and dealt with the type of cases that should be referred to the Board for action. Papers already circulated gave comprehensive examples and the Standards Board believed that there would be few referrals. Simon Bird advised us that where cases were referred because the hearing sub-committee felt that the maximum penalty in their remit was insufficient, it was unlikely that the Board would suspend for more than six months as this would deprive residents of access to their elected member. Where appropriate, the subject member would be disqualified.

Throughout the conference we were reminded that the Code of Conduct would be changed in 2009, and we were urged to encourage our Council to take part in the consultation.

I have now attended two National Assemblies and attending this one has enabled me to see how the changes made last year have started to have an effect. It is evident that Standards Committees and the training provided are having a beneficial effect. Compliance with, and awareness of the Code of Conduct has improved standards, and the further changes proposed will benefit elected members and improve the public's perception of their Councillors.

21 October 2008.