
“GETTING THE BALANCE RIGHT” – REPORT OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

1 SUMMARY

- 1.1 This report considers the conclusions of the Committee on Standards in Public Life in their recent publication "Getting the Balance Right" and, in particular, implications for the role of Standards Committees.

2 INTRODUCTION

- 2.1 On 19 January 2005, the Committee on Standards in Public Life (the Committee) published its 10th report "Getting the Balance Right". This comments upon the ethical framework for local government and makes a number of recommendations in relation to that, including as to the role of Standards Committees.

3 “GETTING THE BALANCE RIGHT”

- 3.1 The Committee's report covers three main areas. Firstly there is an overview of "the seven principles of public life", developed by the Committee; secondly there is consideration of public appointments by Government and thirdly the Committee considers the ethical standards framework for Local Government.
- 3.2 A summary of the Committee's report is attached at Appendix A. "The seven principles of public life" endorsed by the Committee are set out on the front inside cover. In Chapter 4, a number of recommendations are made with regard to embedding the "seven principles" into organisational cultures. There is particular reference to ensuring the effectiveness of whistle blowing procedures and the effective implementation of the Public Interest Disclosure Act 1998 as well as the Committee's analysis of the Ethical Standards Framework introduced by the Local Government Act 2000.
- 3.3 The Committee's view on the latter is that, whilst the work of the Standards Board for England has led to some improvements in recent years, there are fundamental structural and organisational weaknesses to the system and that the Standards Board for England needs to be fundamentally transformed into a strategic regulator, focussing on the most serious allegations that pose a high risk to the reputation of local democracy.
- 3.4 The Committee recommends that local standards committees should initially handle complaints. The Committee feels this will address the large number of minor, vexatious and politically motivated complaints that have created a significant backlog of national investigations.

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- 3.5 The Committee concludes that for local standards committees to be able to discharge the suggested new role effectively, they need to be more independent of the councils they serve. The Committee therefore recommends that standards committees should comprise a majority of independently appointed Members, one of whom should be Chairman.
- 3.6 The Committee suggest that changes to the legislative framework should be made immediately in order to enable local standards committees to take on their new roles from 2007.
- 3.7 Beyond dealing with the most serious of complaints, the Standards Board for England would, under these recommendations, be given a power to audit the operation of the framework by local standards committees with the ability to remove the power of local standards committees to undertake complaints handling until any necessary remedial action had been undertaken.
- 3.8 The Committee also considers the Member Code of Conduct and recommends that it should be made more accessible to Councillors and the public and that unnecessary restrictions on the ability of Councillors to represent their constituents should be removed. The Committee also states there should be a clearer distinction between private and official conduct.

4 CONCLUSION

- 4.1 The Government's response to the Committee's report is not yet known. However, there is clearly now a debate both in relation to the content of the Member Code of Conduct and the framework of the ethical code of conduct itself, including the role of local standards committees.
- 4.2 It is therefore recommended that this report be noted and that before considering its role (beyond dealing with local complaints as allowed under the current system), this Committee await developments in relation to the Ethical Standards Framework and the Member Code of Conduct.

5 RECOMMENDATION

- 5.1 It is proposed that the Committee **RESOLVES**

To note the report of the Committee on Standards in Public Life.

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Background Papers:-

None

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