

STANDARDS BOARD FOR ENGLAND STUDY INTO THE OPERATION OF STANDARDS COMMITTEES IN LOCAL AUTHORITIES

1 SUMMARY

- 1.1 This report presents a summary of the results of surveys undertaken by the Standards Board for England (SBE) into the arrangements within local authorities of the operation and role of standards committees.

2 INTRODUCTION

- 2.1 Members may recall that this research was undertaken by survey in September 2006. Two separate surveys were conducted, one of members of Standards Committees throughout the country and the other of Monitoring Officers.
- 2.2 The purpose of the research was to consider the operation of Standards Committees against a backdrop of legislative change, with authorities becoming increasingly responsible for regulating the conduct of members within their authority, and a move towards local ownership of the ethical framework

3 THE STUDY

- 3.1 The study is generally positive about the work being done by Standards Committees.
- 3.2 Not surprisingly, the majority of Standards Committee members believe their workload will increase as a result of the proposed changes in how local investigations and hearings are conducted. And interestingly, they are more optimistic than are Monitoring Officers about coping with the additional burden.
- 3.3 The vast majority of Standards Committee members believe they have a good working relationship with their monitoring officer, and are well supported by this Officer. Most, but not all, have received training.
- 3.4 A summary of the study is appended to this report and a full copy has been placed in the Members' Library or is available on the SBE website at <http://www.standardsboard.co.uk/Aboutus/Research/filedownload,5718,en.pdf>

4 RECOMMENDATION

- 4.1 It is proposed that the Committee **RESOLVES** to note the Standards Board for England Study into the operation of Standards Committees within local authorities.

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Background Papers:-

None

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Summary and conclusions

Survey of monitoring officers

Monitoring officers are generally positive with regards to varied aspects of their role within the authority, including how their working relationships are developing, the resourcing they have to undertake their duties, and the sufficiency of training. Monitoring officers do generally feel that they are supported by people within the authority at a senior level: 97% indicate that they have a good working relationship with the standards committee, 89% that the chief executive is supportive of them, 89% that the chief finance officer is supportive of them, and 88% that they are regularly asked for advice by members. However, only 57% agree that they have sufficient support staff, and indeed 26% disagree that this is the case. Therefore, whilst monitoring officers feel valued and respected by people within the authority, they do not always feel that this is reflected in the level of physical support they receive. There is also some concern regarding the issue of cost, with 18% of respondents agreeing that they experienced problems in paying for the cost of an investigation.

Furthermore, 90% of respondents feel that their workload will increase as a result of changes in regulation outlined in the White Paper *Strong and prosperous communities*. A minority of 45% agree that they feel confident that they are fully prepared for these changes. This suggests that monitoring officers will require support to adapt to these changes.

Standards committees

Almost all respondents (99%) indicate that the standards committee within their authority has met at least once since January 2005, with 35% indicating that at least seven meetings have occurred.

Almost all monitoring officers within the sample have attended at least some of the standards committee meetings within their authority (99%), with 91% attending all meetings. One-half (50%) also have separate meetings with the chair of the standards committee.

Standards committees have a broad remit and range of activities that they engage in. Within the terms of reference, the key functions include monitoring the effectiveness of the Code of Conduct (98%), training/arranging training/seminars on the Code of Conduct (97%), and hearings (87%).

Approximately three-quarters of authorities train/arrange training/seminars on the Code of Conduct (77%), respond to/receive feedback on national or governmental developments regarding ethical governance (74%), and/or monitor the effectiveness of the Code of Conduct (73%) within the normal scope of their duties.

There is perceived to be further scope to increase the breadth of the undertaking of standards committees in the future, particularly with regards to training/arranging training and seminars

on the Code of Conduct (85%) and/or monitoring the effectiveness of the Code of Conduct (81%). Indeed, such activities should be undertaken by 100% of standards committees.

Independent members of the standards committee

Independent members of standards committees tend to serve for a minimum of three years, with only 9% of monitoring officers stating that independent members are appointed for up to two years. The largest proportion highlight appointments of three or four years (62%), whilst 3% make appointments of five or more years.

Similar proportions of respondents consider the recruitment of independent standards committee members to be easy (37%) or difficult (38%), with a further 22% giving a neutral response of neither easy nor difficult. In order to recruit independent members, the largest proportion have utilised newspaper advertising (97%), although in conjunction with other methods, including website advertising (49%) or personal approaches (36%). Advertisements in the local press are generally viewed as the most effective recruitment method (61%), with personal approaches (16%) being the only other approach mentioned by substantial numbers.

Just over half of authorities (54%) provide an annual allowance for independent members, which could go some way to explaining why some authorities experience recruitment difficulties in this area. A larger proportion however (90%) provide travel and subsistence allowances, albeit that allowance entitlement does not appear to always be taken up, with 38% of respondents stating that independent members do not claim the allowances they are entitled to.

Local Investigations

One-half of authorities (50%) have undertaken local investigations in the past.

Monitoring or deputy monitoring officers have been tasked with conducting the most recent investigations for the majority of authorities (52%) who have undertaken investigations, although a substantial proportion have used an external consultant (24%), or officer from another authority (15%).

Almost all respondents (93%) are aware of contingencies in place within their authority which allow for another person to undertake a local investigation should the monitoring officer be unavailable. The largest proportion (64%) have a deputy monitoring officer who would take responsibility, whilst one-half (50%) have an agreement with the monitoring officer of a neighbouring authority.

With regards to the most recent investigation, respondents are generally positive about how these were undertaken, 80% indicating that the investigation was carried out to an acceptable standard, and 65% that a hearing was carried out to an acceptable standard. By comparison, 5% disagree that the investigation was carried out to an acceptable standard (14% do not know) and 2% disagree that the hearing was carried out to an acceptable standard (31% do

not know). Almost four in five respondents (79%) disagree that they experienced problems in the investigation process, whilst 5% agree that problems had been experienced.

Almost seven in ten respondents in authorities where local investigations have taken place (69%) highlight positive impacts that have occurred as a result: raised awareness of the standards committee within the authority has been the most widely recognised benefit (57% of those where an investigation has taken place). However, other benefits have also been identified by a high proportion of these authorities, including reinforcement of the Code of Conduct (52%), raised awareness of the Code of Conduct (51%), and raised awareness of the monitoring officer (42%). Other less widely reported but still significant positive impacts include raising public awareness of the Code of Conduct (28%), and making the authority more transparent and open (12%) and 17% reported improvement in ethical behaviour.

In contrast, 36% of respondents highlight negative impacts that have resulted from local investigations, the largest proportion (18% of those where an investigation has taken place) mentioning the impact on the relationship between the monitoring officer and members, followed by impact on the public image of the authority (10%). No other negative impact was mentioned by more than 5% of respondents.

Training

Monitoring officers in 73% of authorities have received training related to how to undertake a local investigation. Reflecting the need for more training in this field, 61% of monitoring officers would like more training in undertaking local investigations.

Over nine in ten respondents (94%) state that training on ethics, and/or the Code of Conduct has been delivered within their authority since the beginning of January 2005. Within a majority of authorities, this training has been delivered to members of the standards committee (87%), and/or to elected members who are not on the standards committee (78%), and high levels of attendance are reported, with 96% of monitoring officers noting fairly/very good attendance amongst standards committee members, and 80% amongst elected members who are not on a standards committee.

Over four in five monitoring officers (85%) are aware of the ethical governance toolkit, with 27% having used some of the materials. Almost half of monitoring officers (47%) intend to use the toolkit in the future.

Members of standards committees

The majority of respondents (63%) have been serving on the standards committee for between one year and less than five years, with a further 13% serving for less than one year, and 24% for five years or more.

As a result of the publication of the White Paper *Strong and Prosperous Communities*, 75% expect their workload to increase, although 68% feel that they will be able to cope with the changes.

