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### Report From Ray Davison of Annual Assembly of Standards Committees in ICC Birmingham 12-13 October 2009

Let me begin by thanking EDDC for sending me to this Assembly and a special vote of thanks to Jill Sentance for arranging the accommodation and transport.

I must say the Assembly was a comprehensively positive experience and I have returned with my head full of notions of good practice and data from other Standards Committees, which I hope will be of some use as we undertake our review of best practice locally.

#### **Focus On The Essentials**

The Assembly opened with this introductory session, designed principally for new members. Glenys Stacey (Chief Executive, Standards for England - the new name for our parent body) outlined the history of the organisation from the Local Government Act 2000, through to the 2007 Code of Conduct and Local Assessment in 2008. SFE was now the strategic regulator with a monitoring and guidance role. We are promised a new DVD on the developing relational frameworks between us and the national body and local assessment but she was very clear that the best local committees were proactive in creating the growth conditions for standards and good governance. She emphasised the role of the code in generating greater transparency of standards and the need for training to promote awareness of its clauses among members and the public.

Mark Jones (Principal Lawyer SFE) followed by drawing our attention to a revised code to be published later this year and to new guidance available on the legal definition of predetermination and on the private/official interface. He directed us to the national websites to explore best practice in terms of Joint Committees, Dispensations and the monitoring of Gift and Expenses Policies. He also warned that some LAs were taking too long to process their cases and could face suspension of their functions if this continued.

I gained from this session the sense that SFE and local committees generally were growing into a powerful instrument for the promotion of a culture of standards well beyond the statutory functions originally bestowed upon them.

#### **State Of The Nation**

This was the first plenary and it opened with a video link to Rosie Winterton. She was full of praise for SFE which would be making a vital contribution to the enquiry into Standards in Public Life. Dr Robert Chilton (Chair of SFE) followed with a sanguine assessment of the future of SFE. Standards were now a major political issue and he doubted that the Opposition Paper Control Shift (= abolish SFE) would be implemented, even if the Govt did change at the election. He noted that Spelman had not commented on the proposed abolition. Whatever the future had in store, he and SFE would continue with 'Project Excellence' their initiative to improve performance by reducing vexatious complaints, speeding up processing and generally working toward 'embedding' the culture of standards which was the key to trust.

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Glenys Stacey then spoke again. Apparently there are 80,000 members of Standards Committees in England who have dealt with 2863 complaints between them of which 53% required no further action. She had no figures for the total cost of all this (only the budget for SFE of 7.6 million was known). Many more such statistics are available online. It would seem that the principal complaints about us are that we are too slow, too complicated, too political, too eager to comply and too expensive. Project Excellence, no doubt, will address these alleged problems.

### **The First Workshop**

This was on 'Actual and Apparent Pre-Determination' and involved interactive analysis and discussion of three cases. I was on a wonderful table-load of Jesuitical brainpower with MOs, CEOs and a Chief Whip from Islington who had the curious capacity to remind me of myself (he loved argument!). This was a really satisfying session and it was enjoyed by everybody, except, perhaps, the lawyer in charge. The new legal advice on this issue almost made it look as though it was impossible to define actual predetermination without help from a divine source. Much money would obviously be made by lawyers decoding the legal niceties of the distinction. I did wonder if Spelman's comment that her Govt, if elected, would abolish pre-determination altogether, was not an area where I might actually be pre-disposed to agree with her. Guidance on pre-determination is available on the website but you will probably need a judge to help you understand its ramifications.

### **Plenary Two: The Big Debate**

The issue debated was whether the local standards framework was 'a force for good or a necessary evil'. In truth there was not much of a debate in this audience, as almost everybody was in favour of the new framework. Indeed, there was such an appetite for their work that they wanted their committees to go beyond the statutory requirements and become much more pro-active on several fronts. This appetite for a pro-active approach was also much in evidence in workshops two and three, so I shall summarise the suggestions made in this regard within those reports. Nonetheless, to try and stimulate a debate, one of the speakers did make reference to our expensive, over-bureaucratized, over-complicated, cumbersome procedures and attacked SFE as a burden on the public purse (resource intensive) with its excessively regulated practices. And a member of the audience wanted to abolish all parish councils, as they were often a source of trivial and vexatious complaints. There was also reference to whether the public interest was served by a body that could not quantify the cost of all its activities but such voices were in a wilderness.

### **Workshop two: putting the public in the picture, discussion forum: sharing good practice and workshop three: the highly effective standards committee.**

I have composited reporting here because there were significant areas of overlap in content. Basically these sessions allowed delegates to compare and contrast practice. It was clear to me that many committees are significantly more pro-active than we are. For example, most committees were meeting for their ordinary meetings four times a year (some met monthly or

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bi-monthly and cancelled if they did not have business) This generated continuity of focus and purpose. We were told that good practice required that we produce a work-plan to map out what we should be doing to spread public and member awareness of our work, procedures and the code. It was recommended that the Independent Chairs should have pretty regular meetings with the CEO, MO and Leader. Standard Committee members should have a high profile among members and the public and there should be press liaison work to back this up. A speaker from Rossendale Borough Council, which had received an award for its practice as a Standards Committee, outlined what they had done, on a relatively small budget, to advertise their work. This included the production of coasters for council use with words such as EDDC Standards Committee Promoting High Standards in East Devon! Rossendale also had a media protocol which included training to conquer fear and an extensive website. It was also clear that engaging the parishes by regular contact between them and SC members was a desirable practice. Regular reviews of SC impact should be built into meetings and SC members should be aware of public perceptions of their work and devise mechanisms for getting their message across. Embedding standards in local government and public awareness is what SC Committees should be about. SC should not be add-on instruments of governance but a central presence in local democracy and in the local community. SM members should be involved in Democracy Days. I feel there is a need for a great deal of considered thought on these matters and several others, which I have not mentioned to avoid inducing panic in the team. I hope our Committee will in due course examine these options in some detail. It may interest members to know that similar ideas were touched upon at the SWIM Conference in Bristol (which I attended with Rachel and 'parish-speaker' Simon Pollentine) but in far less depth and detail.

### **Plenary Three: On The Brink – Coming Back From Ethical Collapse**

This was a strange plenary, since it seemed to be preparing us for the failure of the system we are trying to promote. I am more than happy to report that we are a long way from this in East Devon but recent developments in the Commons and the Lords are a red light on such possibilities. The session was overseen by Professor Alan Lawson, from Hull University, a specialist in public sector ethics. He was accompanied by Kim Riley but who held the distinction of having transformed Hull City Council from the worst local authority in the country to a three star rated and improving one. With him was Peter Moore, former acting Chief Executive in Lincolnshire after it had failed its Corporate Governance Inspection and part of the Improvement Board to redress the situation. Despite all our best efforts, ethical collapse can occur, public trust end and council relations degenerate into a conflictual impasse. Costly procedures are then needed to rebuild public confidence and a viable regime. Key to the avoidance of this process is apparently the skill, discretion and subtlety of the Independent Chair, so enough said.

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### **Workshop Four: Managing Investigations With Confidence**

I was disappointed to find that my table colleagues, despite being very experienced and high fliers, had not experienced a hearing between them and seemed rather alarmed that I had twice. Dialogue between us centred on who conducted the investigation (internal or external), MOs under political control, whether the SC should establish a practice for investigating and what were the pitfalls. There followed a most lengthy and uninspired talk on all the things that can and apparently did go wrong in Leeds. After 40 minutes my table emptied, but the saga continued without increase in momentum. It was a really detumesced end to what had been an exceptionally interesting and inspiring Assembly.

**One Final Recommendation:** almost every organisation sent more than one delegate and, although I see myself as a robust and communicative person, I really think a minimum of two is a better option. This will avoid the problems of inter-subjective tensions of the single person.