





STUDY INTO THE OPERATION AND ROLE OF STANDARDS COMMITTEES WITHIN LOCAL AUTHORITIES

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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.

Operation of standards committees

Standards committee members are generally positive with regards to varied aspects of their role within the authority, including how their working relationships are developing, the resources they have to undertake their duties, and the sufficiency of training. Overall, 91% indicate that they have a good working relationship with the monitoring officer, and 89% that they receive sufficient support from the monitoring officer. Further, 89% agree that their main function is to promote ethical behaviour within the authority.

Training

Almost four in five of standards committee members indicate that they have received training on how to undertake a local hearing (79%), indicating that one in five (21%) have received no such training. A similar proportion (approximately four in five) have received training on other aspects of their role. Amongst those who have received training, the key themes included holding and chairing meetings (26%), their role within standards committees (8%), the Code of Conduct (7%), and/or role play and case studies (7%).

Training provision has been delivered through both in-house providers (51% of the most recent training received) and external providers (31%).

All respondents were asked to rate how prepared they feel in terms of being involved in a local hearing and being able to undertake other aspects of their role. Overall, 75% of respondents feel well prepared for their involvement in local hearings, whilst 86% feel well prepared to undertake other aspects of their role. This indicates that one in ten do not feel prepared for other aspect of their role and one in four members do not feel prepared for involvement in local hearings

Perceptions of the training received are positive, particularly with regards to the relevance of the training (86%), the appropriateness of the training (79%), the aims and objectives being met (79%), and the authority (79%).

Almost three in five respondents would like to receive training or additional training relevant to their role in the future (58%). Of these respondents, the key training themes include holding and chairing meetings (12%), the role of members on standards committees (12%), refresher courses on standards issues (12%), and role plays and case studies (11%).

In all, 44% of respondents are aware of the ethical governance toolkit.

Local hearings

In all, 49% of authorities have undertaken a local hearing. Of these, 89% highlight positive impacts that have occurred as a result of the hearing, including a raised awareness of the standards committee (78% of those where a hearing has taken place) or Code of Conduct (77%) within the authority, and/or reinforcement of the importance of the Code of Conduct (72%). However, only 16% commented on the fact that local hearings have had a positive impact on ethical behaviour across the authority.

Where hearings have taken place, respondents also note negative impacts, although fewer in number than positive impacts – key negative impacts include the relationship between the standards committee and members (14% of those where a hearing has taken place), and the impact on the image of the authority to the public (11%).

Comparison of monitoring officers and standards committee responses

The following table provides a brief comparison of results between monitoring officers and standards committee members where there is some degree of commonality in the question. Caution should be exercised however – overall, the monitoring officers and committee members samples do not always represent the same authorities.

From this, it is evident that members of standards committees have a less positive perception than monitoring officers about how they are perceived within their authority, and the overall levels of influence that they have. Interaction with officers, particularly in terms of the provision of ethical advice, is limited, as is the influence they have on officer behaviour. However, they also are less likely to feel valued than monitoring officers by higher echelons of the authority, particularly the chief executive.

Despite this, members of standards committees are more likely to perceive positive benefits that accrue from any hearings they have been involved in, when compared to equivalent monitoring officer perceptions of the impacts of their investigations. Notably, the role of hearings over investigations in raising awareness of standards committees and the Code of Conduct has been strongly emphasised.

Table 1: Comparisons of key findings for monitoring officers and standards committee members (all respondents)

	Monitoring officers %	Members of standards committees %
Roles		
Agrees that authority values them in their role	85	79
Agrees that chief executive is supportive of them in their work	89	78
Agrees that chief finance officer is supportive of them	89	58
Agrees that authority believes their role is part of wider ethical framework	85	78
Agrees that they have appropriate influence over corporate management team	80	37
Agrees that their work has positive impact on member behaviour	81	63
Agrees that their work has positive impact on officer behaviour	71	53
Agrees that have good relationship with monitoring officer / standards committee	97	91
Agrees that officers co-operate in investigations/hearings	64	69
Agrees that officers ask for advice	75	10
Agrees that members ask for advice	89	16
Impact of investigations/hearings (where undertaken)		
Positive impacts		
Raised awareness of standards committee in the authority	57	78
Raised awareness of Code of Conduct in the authority	51	77
Reinforced importance of Code of Conduct in the authority	52	72
Improved ethical behaviour in the authority	17	32
Raised awareness of Code of Conduct amongst public	28	41
Authority more transparent/open	12	27
Negative impacts		
Relationship between monitoring officers/standards committeess and members	18	14
Relationship between monitoring officers/standards committees and officers	2	6
Image of the standards committee within authority	5	8
Image of the authority to the public	10	11

Conclusions

Of possible concern is the fact that one in ten monitoring officers report to have no legal qualification.

Whilst a majority of monitoring officers feel valued and supported in their role by politicians and senior officers, they do express some concern over the level of physical support they receive. This view of the inadequacy of some areas of support is exacerbated by fears about the impact on their workload which will be brought about by the proposed changes to the role of the Standards Board, with the responsibility for filtering and dealing with less serious cases being given back to local councils. Many are unclear about exactly what the impact of these changes will be at a day-to-day level, and call for clarity on this point, particularly with regard to the implications for their workload and how this will be managed and resourced.

Another consequence of the move to more local hearings and determinations is that it will inevitably place greater emphasis on the role of independent members of standards committees. There will be a statutory requirement for committees to be chaired by an independent member and requirement that committees include independent members who reflect a balance of experience. Also, monitoring officers are somewhat divided with regard to the relative ease/difficulty of recruiting independent members, and this could be another area where more support and guidance will be needed in the future.

The issue of tackling local investigations and hearings is familiar to a notable proportion of monitoring officers, with half reporting that their authorities have done so in the past. Interestingly, monitoring officers are more likely to see positive as opposed to negative impacts arising out of local investigations, including raised awareness of the role of the standards committee and of the Code of Conduct. Fewer identified that there had been an improvement in ethical standards as a result of local hearings.

One negative output and concern that has arisen from local investigations is the impact such activities can have on the relationships between monitoring officers, standards committees and the wider elected member base. This is a key area where monitoring officers are likely to require advice and guidance from the Standards Board in the future. This suggests a future area of research, which the Standards Board could explore, the impact of local investigations on the relationships between monitoring officers and standard committees and the wider elected member base.

Many of these issues can be addressed with relevant and timely training and development for monitoring officers. Whilst a majority of monitoring officers report to have received some training in relation to performing their role and undertaking local investigations, a majority would also welcome further training and development. Those who have received training are more likely to feel confident in and prepared for their role, a message which again should be communicated widely to monitoring officers to encourage them to participate in the training opportunities presented to them.

A majority of members of standards committees also expect their workload to increase as a result of the proposed changes in how local investigations and hearings are managed. However, a similar (slightly smaller) majority believe that they are or will be able to cope with these changes. The higher level of optimism on this matter expressed by standards

committee members (compared with monitoring officers) could be a reflection of the fact that committee members can see colleagues with which to share the increased load, whereas monitoring officers could feel somewhat alone. In addition, it is worth pointing out that the Standards Board is still developing how its strategic role will work and what this will mean for monitoring officers and standard committees. It follows that standard committees members and monitoring officers at the time this research was undertaken did not have a full picture of what the changes will entail.

It is encouraging to see that 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. However, some concern must be felt over the one in ten members who do not agree with either of these statements, as this situation might only be exacerbated under the proposed new arrangements.

Most standards committee members have received some training, and this has generally been well received. However, many call for further training in key areas of their role, and this need will grow as the impact of the new arrangements is felt in local areas. The Standards Board should consider how this training need will be met, at all tiers of local government.

As with monitoring officers, standards committee members are also more likely to see positive as opposed to negative impacts having arisen out of local hearings. Interestingly, whilst the types of positive impacts identified are similar, members of standards committees are more likely to have identified each positive impact, and less likely to see a negative impact as being a deterioration in the relationship between monitoring officers and standards committee members. This is a positive message to communicate to both parties, and one which can only give monitoring officers much needed confidence in working alongside standards committee members on local investigations.

Appendix 1: Tables of results

Table 29: How the respondent perceives aspects of their role within the authority (all respondents)

		Agree	Neither	Disagree	Unsure / not stated
As monitoring officer I have a good working relationship with the standards committee	%	97	2	0	2
The chief executive (or similar) is supportive of my work as monitoring officer	%	89	6	2	2
The chief finance officer is supportive of my work as monitoring officer	%	89	7	2	2
Members regularly ask me for monitoring officer advice	%	89	6	3	2
I am consulted on the legal implications of decisions made by the authority	%	88	6	3	2
My authority values what I do as a monitoring officer	%	87	7	5	2
My authority believes that my role as monitoring officer is part of its wider ethical framework	%	85	10	2	2
My work as a monitoring officer has a positive impact on the behaviour of members	%	81	16	2	2
I have had adequate training to undertake my current role of monitoring officer	%	80	12	7	1
As monitoring officer I have an appropriate influence over our corporate management team	%	80	8	10	2
Officers regularly ask me for monitoring officer advice	%	75	13	10	2
My work as a monitoring officer has a positive impact on the behaviour of officers	%	71	23	4	2
Officers are co-operative with my investigations	%	64	11	0	26
Members are co-operative with my investigations	%	59	12	2	27
I have a sufficient number of support staff	%	57	16	26	2
My role as monitoring officer is isolated within the authority	%	14	10	74	3
Bases: 324 unweighted & weighted					

Table 30: Activities of the standards committee (all respondents)

	Activities included in the standards committee's terms of reference	Activities that the standards committee has been involved in	Activities that have taken up most of the standards committee's time	Activities planned by the standards committee over the next twelve months
	%	%	%	%
Monitoring the effectiveness of the Code of Conduct	98	73	42	81
Training/arranging training/seminars on the Code of Conduct	97	77	35	85
Inclusion of code/ethics issues in the induction of new members	62	57	1	64
Providing advice/assistance to members/officers on the code /ethics	81	56	16	61
Overview of internal and/or external audit	13	11	4	9
Overview of whistle-blowing Code	46	29	1	33
Overview of constitution or relevant extracts	39	35	11	37
Responding to ombudsmen investigations	22	11	1	13
Hearings	87	36	18	54
Functions relating to authority's complaints procedure	29	23	3	21
Representing the council to other authorities with respect to standards issues	23	26	1	17
A role in employees' conduct (e.g. in appeals against disciplinary action)	6	5	1	7
Approving and reviewing of anti-fraud procedures	18	17	1	15
Determining disputes over special payments to members (e.g. dependents' allowance)	5	1	<0.5	2
Responding to / receiving feedback on national or governmental developments regarding ethical governance	71	74	38	66
Other	17	11	5	16
None/not stated	<0.5	<0.5	7	4
Bases: 324 unweighted & weighted				

Table 31: How the respondent perceives aspects of their role within the authority (all respondents)

		Agree	Neither	Disagree	Unsure / not stated
The standards committee has a good working relationship with the monitoring officer	%	91	3	1	5
The standards committee gets enough support from the monitoring officer	%	89	4	2	5
The main function of the standards committee is to promote ethical behaviour within the authority	%	89	5	3	3
My authority values what the standards committee does	%	79	12	3	5
My authority believes that the role of the standards committee is part of its wider ethical framework	%	78	11	3	8
The chief executive (or similar) is supportive of the work of the standards committee	%	78	11	2	9
Officers are co-operative with hearings of the standards committee	%	69	11	1	19
The work of the standards committee has a positive impact on the behaviour of members	%	63	23	5	8
The standards committee has a good working relationship with the deputy monitoring officer	%	61	13	1	25
The chief finance officer is supportive of the work of the standards committee	%	58	18	2	22
The standards committee receives an adequate level of financial support	%	56	19	9	15
The work of the standards committee has a positive impact on the behaviour of officers	%	53	28	5	15
I personally receive an adequate level of financial support for my work on the standards committee	%	45	24	19	12
The standards committee has an appropriate influence over our corporate management team	%	37	28	9	27
Bases: 1,308 unweighted, 1,742 weighted					

Table 32: How the respondent perceives aspects of their role within the authority (All respondents)

		Agree	Neither	Disagree	Unsure / not stated
The relationship of the standards committee with parish or town councils has improved since I have been on the standards committee	%	33	29	6	33
We have had difficulty in recruiting unelected independent members	%	21	16	44	19
The standards committee is isolated within the authority	%	19	18	55	8
Members regularly ask me and/or other members of the standards committee for ethical advice	%	16	23	45	15
The main function of the standards committee is to hold hearings	%	15	16	63	6
Officers regularly ask me and/or other members of the standards committee for ethical advice	%	10	25	50	16
Bases: 1,308 unweighted, 1,742 weighted					