

Meeting:	Standards Committee
Date:	17 December 2007
Subject:	Feedback on Standards Board Local Filter Pilot Project
Responsible Officer:	Hugh Peart
Portfolio Holder:	Councillor Chris Mote
Exempt:	No
Enclosures:	Standards Board For England – Local Filter Pilot Findings

Section 1 – Summary and Recommendations

This report sets out the findings of the Standards Board for England on the Local Filter Pilot Project.

Recommendations:

The Committee is requested to note the report.

Section 2 – Report

The Local Government and Public Involvement Health Bill (now the 2007 Act) envisaged a change in the role of the Standards Board for England. The Board will take on a more strategic role with supervising the system for dealing with allegations about members' conduct, providing advice, but only dealing with the most serious individual cases. Standards Committees will be responsible for handling cases of allegations of misconduct.

As a result of the new role of Standards Committees, the Standards Board piloted the local assessment of complaints with a range of authorities. Harrow's Standards Committee was one of 38, which participated in the pilot, working with the new Code it considered 12 real but anonymised cases, including two appeal cases.

All members of the Standards Committee (to include reserves) were invited to participate in the session, which took place on 14 June 2007. Unfortunately only 6 members were able to attend.

The Standards Board has now issued its findings a copy of which is attached. The anonymised cases that were considered are not attached, but can be provided on request.

As indicated the Bill is now the 2007 Act, and it is anticipated that these provisions of the Act will be in force by April 2008. A separate report on the implications for the Standards Committee as a result of the Act is included elsewhere in the agenda.

Financial Implications

None associated with this report.

Performance Issues

None associated with the report.

Section 3 - Statutory Officer Clearance

Name: Barry Evans	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 6 th December 2007		
Name: Hugh Peart	<input checked="" type="checkbox"/>	Monitoring Officer
Date: 5 th December 2007		

Section 4 - Contact Details and Background Papers

Contact: Elaine McEachron, Assistant Lawyer, Corporate Governance (Tel: 020 8420 9414 ext 5414).

Background Papers:
Standards Board for England – Local Filter Pilot.

Local Filter Pilot Findings

During the summer the Standards Board has been piloting the local assessment of complaints with a broad geographical range of authorities of all types, across England. Thirty eight standards committees participated in the pilot, each of which considered 12 real, but anonymised cases, working with the new Code, including two appeal cases.

The Standards Board collected a range of data and feedback from the pilot, developing an overview of how the local system might work in practice. Detailed analysis of the results and feedback supplied by thirty committees was undertaken. The results are therefore based on 360 allegations considered by standards committees.

Of the participating authorities, the average number of members serving on their standards committees is nine, ranging between five and 16 members. The average number of independent members is nearly 4, ranging between two and seven independent members. 93% of participating standards committees had an independent chair.

Almost half of participating standards committees considered themselves to be politically balanced in the strict legal sense i.e. in accordance with the political balance requirements of sections 15-17 of the *Local Government and Housing Act 1989*.

Standards committees were asked to record the outcomes of their deliberations, either to refer allegations to the Standards Board; refer allegations to the monitoring officer for investigation or alternative action such as mediation or training; or not to refer them at all.

The average referral rate for standards committees was just under six out of the ten cases (excluding the two appeals) at 66.5%, compared with the Standards Board's referral rate of three out of ten and 30%. Local standards committees had the further option to consider alternative action such as mediation, training or an apology. The average rate of referral for alternative measures was 7.3%. The average non-referral rate for standards committees was low at 33.5% compared with the Standards Board's non-referral rate of 70%.

The Standards Board had originally referred three of the ten allegations given to participating standards committees in the pilot for investigation. The standards committees participating in the pilot broadly correlated with the Standards Board in their decisions to refer these allegations, referring them for further action in 96.7%, 70% (time-out in 10% of committees) and 76.6% (time-out in 16.6% of Committees) of cases (offering an average of 81% correlation with the Standards Board's decision to refer them.) Therefore, excluding timed-out allegations, standards committees decisions correlated with those of the Standards Board in relation to the three referred allegations in 90% of cases.

The majority of referrals by standards committees were made to monitoring officers at an average rate of 40%, ranging between 23% and 66.6%. The rate of referral to the Standards Board for investigation was low, at less than 10%.

Standards committees made decisions which may be said to have diverged significantly from those of the Standards Board in relation to only 11 allegations of the total 360. Therefore, participating standards committees took the opposite view from the Standards Board in less than 4.0% of cases, which the Standards Board had considered clear referrals or non-referrals.

Standards committees were asked to self assess their collective decision-making for each complaint against the following categories:

- Quick decisions
- Decisions requiring some deliberation
- Difficult decisions
- Not specified (where no decision was reached in the allocated time)

In nearly 40% of cases standards committees considered that they were able to reach a quick decision, and only in 13% of cases were decisions considered slow and difficult with much deliberation.

Standards committees were also requested to record whether any of their decisions went to the vote. Nearly 14%, or 49 of the total of 360 allegations considered in the pilot, went to the vote. A further 11% of the total complaints were undecided, in most cases because a decision was not reached in the time allocated. Therefore, 76% of the decisions taken in total by the participating standards committees were reached through consensus.

Finally, standards committees were also asked to consider a range of additional procedures/resources they would consider necessary for managing the local system and making it work in their own authority. The establishment of a sub-committee was considered to be necessary by 23 of 30 committees, while only one third, 10 of 30 considered adding more independent members as necessary, and 13 of 30 did not.

Out of the thirteen authorities which stated they would not increase the number of independent members on their standards committee, seven said they would need to increase resources, five were unsure, and only one felt they would not need to increase resources. Additionally, of the same thirteen authorities, the average size of their standards committee is ten members, ranging from seven to 16 members and the average number of independent members on their standards committee is four members, ranging from two to seven independent members.

Monitoring and Audit Project Team
The Standards Board for England
Fourth Floor, Griffin House
40 Lever Street
Manchester M1 1BB
T: 0161 817 5424
F: 0161 817 5499
www.standardsboard.gov.uk