



An introduction to Standards for England

February 2010

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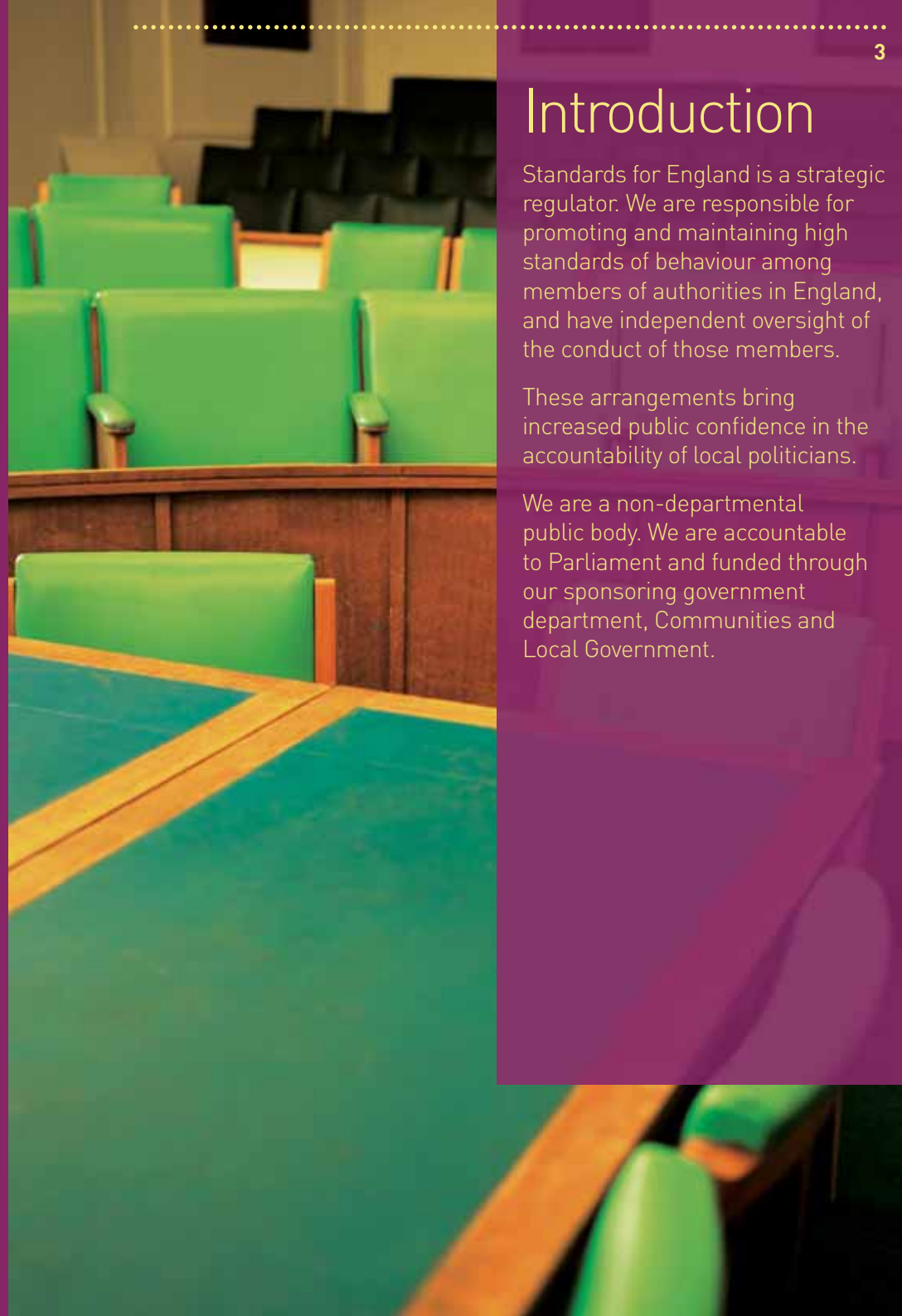


Introduction

Standards for England is a strategic regulator. We are responsible for promoting and maintaining high standards of behaviour among members of authorities in England, and have independent oversight of the conduct of those members.

These arrangements bring increased public confidence in the accountability of local politicians.

We are a non-departmental public body. We are accountable to Parliament and funded through our sponsoring government department, Communities and Local Government.



Our jurisdiction

There are around 8,700 authorities within our remit:

- 351 local authorities
- 8,350 parish and town councils
- 31 fire and rescue authorities
- 38 police authorities
- Six integrated transport authorities
- Eight national park authorities
- The Greater London Authority
- The City of London Corporation
- The Broads Authority
- The Council of the Isles of Scilly

There are over 80,000 elected, co-opted and independent members of these authorities, all of whom must comply with a Code of Conduct which is approved by Parliament and governs their behaviour.

Our jurisdiction does not cover the conduct of local authority staff, nor can we seek to obtain any form of compensation for complainants.

We are not responsible for investigating allegations of maladministration by authorities; this is the job of the Local Government Ombudsmen.

LGO

The Local Government Ombudsmen investigate complaints by members of the public who consider that they have suffered injustice as a consequence of the administrative actions of local authorities and other bodies within their jurisdiction. Further details can be found on their website: www.lgo.org.uk

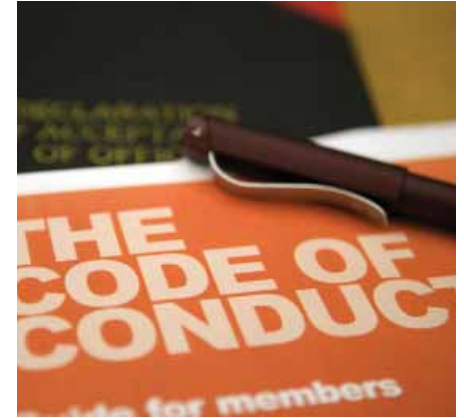
Similar arrangements to ours are in operation in Scotland (via the Standards Commission for Scotland) and Wales (the Public Services Ombudsman for Wales).

Our history

The Local Government Act 2000 led to the creation, in 2001, of the Standard Board for England as the regulator of the conduct of members in local authorities. This was in response to a number of high profile standards failures in local government, and a report by the Nolan Committee on conduct in public life. The Act introduced the Code of Conduct for members, enforced directly by the Standards Board.

This scheme of regulation was criticised, especially by local government. It was regarded as over centralised and unnecessarily bureaucratic, within an unsatisfactory legislative framework. There was general agreement on the need for improvement, with calls for changes to the system that would provide a better balance between local self regulation and national oversight.

This led to a remodelled local standards framework, introduced by the Local Government and Public Involvement in Health Act 2007. Now most complaints about members' behaviour are dealt with at a local level by the standards committees of local councils. These standards committees are responsible for assessing complaints, initiating



investigations and, where appropriate, deciding whether a member has breached the Code of Conduct and should be sanctioned accordingly. There are 438 such committees, each of which must have an independent chair.

In parallel, the Standards Board for England became a strategic regulator, with overall responsibility for the effectiveness of the new system in promoting high standards of conduct. We also deal with complaints that are unsuitable for local investigation. These new arrangements began in May 2008.

Since July 2009, the Standards Board for England has been operating under the name of Standards for England. This change was made to emphasise our role under the new, devolved arrangements.

Our work



Providing guidance and support

We work with local authorities to encourage and embed a culture of ethical member conduct. We give advice, guidance and support to authorities in operating the framework and we identify and promote the best local practice.

A range of guidance and toolkits can be found on our website, www.standardsforengland.gov.uk.

We give telephone and written advice and information to authorities, members and the public.

We run a two day Annual Assembly that attracts over 800 delegates from local authorities. Representatives of Standards for England also speak at a wide variety of conferences, seminars and meetings.

Identifying and mitigating risks

Part of our work is to identify risks to standards of member behaviour and authorities' ability to manage complaints about member conduct. We are concerned with three types of risk:

- **Specific** (relating to individual authorities, which is known as "entity risk").
- **Systemic** (relating to an aspect of political or standards arrangements that may affect all of the authorities).
- **Sectoral** (relating to particular types or groups of authorities).

Where we identify risks that we believe are significant, we work with the authorities and others to address them.

Standards for England has power to intervene in an authority, and to remove the ability of the local standards committee to receive and deal with complaints about the authority's members, if this is necessary to protect local democracy and restore appropriate standards.

Monitoring

We monitor the operation of the local standards framework and advise government and others on how it's working.

We use a number of techniques, including the analysis of quarterly

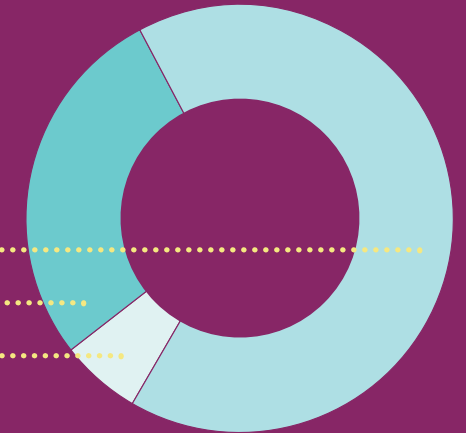
and annual returns that the authorities submit to us.

We monitor the impact of the applicable legislation and regulations and make recommendations for improvements to government.

Local investigations during the 2009 calendar year

There were 650 local investigations completed during 2009. The outcomes of these were as follows:

- No breach of The Code found (430) 66%
- Breach with penalty (182) 28%
- Breach but no further action (38) 6%



Initial assessment decisions during the 2009 calendar year

Of the 3,162 complaints received during 2009, 169 of these had not yet been assessed by 1 January 2010.

Of those that were assessed, the initial assessment decisions were as follows:

- No further action (1580) 53%
- Investigation (884) 30%
- Other action (352) 12%
- Referred to SfE (170) 6%
- Referred to other authority (7) <1%





Our work cont...

Conducting investigations

Standards for England investigates complaints against members that are not suitable for local investigation. This happens when both we and the local standards committee believe it is appropriate, for example if it is a complicated case, or if a senior member is the subject of the complaint.

Anyone can make a complaint to their local authority. The majority of the 3,000 or so complaints made each year come from members of the public. Of these, approximately 3% are investigated by Standards for England.

Approximately

3%

of complaints raised against members annually are investigated by Standards for England

The majority of the

3,000

or so complaints raised annually come from members of the public

When Standards for England investigates an allegation against a member, the investigation is conducted by one of our ethical standards officers (ESO). There are four possible findings the ESO can make:

1. **There has been no failure to comply with the Code of Conduct.**
2. **There has been a failure to comply with the Code of Conduct but no action needs to be taken.**
3. **The matter should be referred back to the relevant authority for determination by the local standards committee.**
4. **The matter should be referred to the First-tier Tribunal (Local Government Standards in England) for adjudication.**

The First-tier Tribunal – formerly known as the Adjudication Panel for England – is independent of Standards for England. As well as adjudicating on referrals from ESOs and local authority standards committees, the Tribunal is responsible for hearing appeals against decisions of local standards committees.



Who we work with

To help us carry out our functions more effectively, we have established close links with a number of organisations. For example, we have arrangements in place with the Audit Commission and the Local Government Ombudsman to share information with them.

Other organisations that we work with include:

- Local Government Association
- National Association of Local Councils
- Improvement and Development Agency
- Committee for Standards in Public Life
- Electoral Commission
- Association of Council Secretaries and Solicitors
- Society of Local Council Clerks
- Society of Local Authority Chief Executives
- Association of Independent Members of Standards Committees in England
- Centre for Public Scrutiny
- Standards Commission for Scotland
- Public Services Ombudsman for Wales

Our vision and values

We believe in principled local politics. Our vision is of a local government community which demonstrates high ethical standards, and an electorate that recognises that principles matter to local government.

Our approach to our job of championing and promoting high standards of conduct amongst our local politicians is reflected in our values:

Guardianship

We selflessly guard, protect and deliver what is entrusted to us by law on behalf of the public.

Robustness

As an organisation we are thorough in our planning, vigorous and determined in our approach and ready to account for the decisions we take.

We believe in principled politics. Our vision is of a local government community which demonstrates high ethical standards, together with an electorate that recognises that principles matter to local government.

Positive leadership

We provide confident, forward thinking guidance, advice and assistance.

Diligence

Our work deserves serious application of thought and action and a high degree of care.

Ethical behaviour

We deal with the principles of public life and the rights and wrongs of conduct. We are objective and we behave with integrity.

The approach that we take to regulation is set out in our *Regulatory Statement*, which can be found on our website, www.standardsforengland.gov.uk



Our structure and people

Standards for England is based in Manchester and employs about 80 people. Our functions are delivered by three directorates (Regulation, Risk and Standards) which are supported by the Chief Executive's office.

The **Regulation directorate** monitors and helps to shape the local standards framework, as well as conducting Standards for England's investigations. The directorate delivers guidance, advice and support, with a view to improving standards at a local level, and ensures that the information we hold on authorities is kept up to date.

The **Risk directorate** is responsible for our entity, systemic and sectoral risk management. Its work includes the effective and active management of those authorities considered to be at high risk. This means working closely with individual authorities where necessary.

The **Standards directorate** sets and assesses the quality of our work, making sure that we work as far as possible to best regulatory practice. The directorate is responsible for the organisation's knowledge management and for conducting research to support our business. It ensures that we

are engaged in and prepared for strategic developments affecting the local standards framework and its operation. Standards for England is increasingly recognised as a centre of expertise in ethical standards, able to influence and shape the local standards framework.

As well as providing support services to the three directorates, the **Chief Executive's office** supports Standards for England's governing Board.

The overall strategy and work programme of Standards for England is set by our Board, which is also responsible for scrutinising our work. The Board consists of a Chair, a Deputy Chair and other members, four of whom are elected local politicians representing the three main political parties and independent councillors. All of the Board members are appointed by the Secretary of State for Communities and Local Government.

Further information

Further information about Standards for England can be found on our website, www.standardsforengland.gov.uk

You can also direct any enquiries to us at:

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