

# The Needs of County Associations of Parish and Town Councils in their Support of the New Ethical Framework

Executive Summary

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## **1.1 The Project**

The aim of the project was to identify ways in which the Standards Board for England could assist County Associations (of town and parish councils) in their provision of support to town and parish councils regarding the new ethical framework introduced by the Local Government Act 2000.

## **1.2 The Background**

The new ethical framework applies to the 8,000 town and parish councils which make up the first tier of local government in much of England. The challenge of informing, advising and supporting training for over 70,000 councillors in 8,000 first-tier small local authorities is considerable.

A County Association is a voluntary association of member town and parish councils representing most town and parish councils in a county; they are *not* branches of a national body, nor are they part of government. Their role is to support, advise, represent and provide training on behalf of their paid-up member councils

## **1.3 The Research**

The Standards Board for England recognised that County Associations *may* play an important role with respect to the new ethical framework because of their unique position in supporting town and parish councils in general. However little was known about the size, structure, functions and funding of the thirty-eight County Associations in England and less about the nature of support they offer for the new ethical framework or the support that they might require from the Standards Board for England. This set the research agenda.

A research team drawn from the Universities of Gloucestershire and Birmingham conducted the research between September 2003 and April 2004. There were two phases to that research followed by the analysis and production of this report.

- Phase one was principally a telephone questionnaire survey of County Association secretaries aiming to identify the key characteristics of County Associations and the nature of the support they offered to town and parish councils in respect of the new ethical framework.
- Phase two involved case study research (50 semi-structured interviews with key players) in five County Association areas. It aimed to
  - identify and explain the nature and level of support offered by the five County Associations within the wider network of local and national support;
  - gather perceptions of the new ethical framework and the support offered by the Standards Board for England, from County Associations and other key players;
  - make recommendations to the Standards Board for England on how support for County Associations might be improved.

## 1.4 The Findings

### Phase One

County Associations *are* important tools in supporting the new ethical framework. Most councils are members of a County Association (half of the County Associations have over 90% of possible councils in membership). Most County Associations regularly contribute advice, information and training on the new ethical framework as it affects town and parish councils. County Associations act as a useful communication channel horizontally between town and parish councils and vertically with national bodies. As a result of the new ethical framework many have formed closer and mutually beneficial working relations with all or some of the District Councils in their county. They value highly the support received from the Standards Board for England. However the introduction of the new ethical framework created a surge in workload and strained their limited resources. County Associations are significantly under-resourced in terms of funding and staff.

### Phase Two

Face-to-face interviews with key players strongly confirm findings from phase one. County Associations demonstrate how effective they can be in supporting the new ethical framework. The best do a remarkable job while the larger number of 'standard' County Associations make good contributions. Differences in the level of service provided by County Associations (provision of information, advice and training to member town and parish councils in support of the new ethical framework) depend on resources and their relationship with District Councils. While a District Council is the primary local player in supporting the new ethical framework, the County Association is the second most important provider of support. The relationship between the District Councils and the County Association is pivotal in determining the quality of support.

### **Local reactions to the new ethical framework: Findings from Phases One and Two**

Initial reactions from town and parish councils to the introduction of the new ethical framework (in particular the Code) were mixed, ranging from hostility through reluctant acceptance to modest enthusiasm. Most viewed the mid-term 'imposition' as a mistake and observed that applying the new ethical framework to town and parish councils was 'a sledge hammer to crack a nut'. Over time attitudes have mellowed. *On balance* the new ethical framework is considered by most to be a benefit. Councillors are more aware of the need for ethical behaviour while the new ethical framework has improved professionalism and working relationships with principal authorities. It is also encouraging a new breed of councillor to stand for election.

While there is strong support for the principles of the new ethical framework there is some dissatisfaction with how these principles have been put into practice through the legislation and its implementation. These include the perception that the framework encourages trivial and vexatious complaints, that the complaints procedures are too slow, that the Code disenfranchises councillors with multiple roles by preventing them from participating in decision making, and that a small number of dysfunctional councils are allowed to continue to act unlawfully.

## **1.5 Conclusions and recommendations**

County Associations play a significant role in the implementation of the new ethical framework, but variation between County Associations in resources and performance is a cause for concern with implications for equity and the agenda for modernising local government. It is therefore recommended that the Standards Board for England considers improving support for County Associations based on the five fundamental needs of County Associations.

- 1 A need** for adequate resources to do the job; either for developing and growing an under-resourced and relatively passive County Association or maintaining and enhancing the good work of a 'standard' or proactive association.

**Recommendation: that the Standards Board for England works with National Association of Local Councils (NALC) and others to explore ways of securing additional resources for County Associations.** It is in the interest of the Standards Board for England to support NALC and others seeking to improve the resources of County Associations. All County Associations, including those providing the most effective support, are seriously under resourced.

- 2 A need** for assistance with the provision of training resources for the new ethical framework to support town and parish councils.

**Recommendation: that the Standards Board for England maintains and enhances its support for County Association training programmes** including the provision of 'roadshows' and speakers, national training materials, sharing of best practice visits across county boundaries, and the promotion of training opportunities.

- 3 A need** for the maintenance and further enhancement of communication underpinning the good working and supportive relationship presently enjoyed with the Standards Board for England.

**Recommendation: that the Standards Board for England builds upon good communications with County Associations to enhance its support** by greater use of plain English in communications, privileged early briefing for County Associations (ahead of town and parish councils), support for focus groups and information exchanges.

- 4 A need** for greater clarity of advice from the Standards Board for England in all aspects of interpreting the Code and other relevant parts of the new ethical framework.

**Recommendation: that the Standards Board for England upgrades the Standards Board for England web site and other guidance and commission a plain English guide to the Code** to promote the Standards Board for England's interpretation of the new ethical framework, in particular to prevent damage from accidental breaches and the 'disenfranchisement' of councillors. This might take the form of a pamphlet of

practical scenarios which frequently emerge as issues for parish and town councillors, complete with explanations as to why a scenario is or is not a breach of the Code.

**5 A need** for improvements in the procedures and management of complaints, in particular the time taken to reach decisions.

**Recommendation: that the Standards Board for England gives urgent attention to speeding up complaints procedures** and reducing the number of complaints progressing to the Standards Board for England. It could lobby government to amend the legislation to introduce a local filter, including mediation and conciliation, to remove trivial or vexatious complaints.