

I am writing to you as both a constituent and Chairman of the Independent Standards Committee of Northampton Borough Council in order to explain my concerns, and those of my fellow committee members, arising from the Government's published intention to axe the Standards for England process in its entirety. I note that you have asked questions in Parliament concerning Communities and Local Government and other matters that have a direct bearing on local people and assume that the conduct and standards exhibited by elected Local Authority Councillors are of interest to you.

Both Secretary of State Eric Pickles and his Communities Minister Andrew Stunell, have criticised the existing Local Authority Standards Regime, claiming that

1. It has proved to be a vehicle for malicious and frivolous complaints and petty local vendettas;
2. 50% of recorded complaints were judged unworthy of any further action;
3. The process is costly and a waste of money;
4. Frivolous allegations undermine local democracy, damage reputations and discourage people from running for office;
5. The Government will free councillors from central prescription and top down bureaucracy so they can get on with their job;
6. If a councillor behaves irresponsibly or ineffectively it's a matter for the electorate.

The stated intentions of the Government are to rectify this alleged costly and worthless process through the intended introduction of statute that criminalises certain behaviours as corruption and/or fraud i.e.; serious misconduct for personal aims; failure to register or declare an interest; or seeking to mislead the public, which will discourage such conduct and, in addition, give enhanced powers for the local Government Ombudsman to deal with public complaints of poor local services. These published intentions seem to assume that simple criminalisation of certain behaviours will prove sufficient in deterring general poor standards of behaviour which led to public disenchantment with local politicians and the system itself.

As a former investigator of allegations of corruption in both public and private sectors I am aware that over the past 20 years the majority of police constabulary fraud and public sector corruption investigation resources have either been dissembled or dramatically reduced. This has led to numbers of allegations being rejected, inadequately investigated or ignored, despite repeated published statements of public bodies claiming that they "maintain a 'zero-tolerance' culture to fraud and corruption". Such stated intentions without proper investigation, public outcomes and effective preventative internal measures which fail to prevent or deter corrupt behaviour, lead to local and national ridicule and cynicism.

Criminal charges of corruption depend upon the Attorney General's fiat and require evidence likely to result in conviction. The Government have stated that police resources are likely to be reduced by 20% over the next 4 years with overt local street patrols and presence taking priority. It is reasonable to suggest that the intended criminal offences arising from serious misconduct by local councillors will be inadequately investigated, if at all. In these circumstances the proposed statute will fall into disrepute, fail to deter, prevent, or, conversely, even encourage serious abuse

within the local political environment and increase the existing public cynicism and distrust toward local authorities, councillors and politicians in general.

It is not apparent that past and present standards of behaviour pertaining to many members of either the Commons or Lords have been based upon the seven principles of public life or the listed model code of conduct relating to councillors. Clearly, public opinion and confidence in the credibility, honesty and integrity of members of both houses, has recently been undermined and this has been repeatedly acknowledged by the leaders of all political parties.

Reviews based upon proven incidents of corruption within local government have resulted in the identification of pointers which could identify a potentially unethical organisation resulting in a framework of simple preventative measures. The criticisms of the current standards regime by the Secretary of State and his Minister appear to take no account of the preventative nature of local independent membership within the establishment and monitoring of agreed standards of behaviour. The history of dependence solely upon the introduction of statute to determine honesty is often one of failure and ridicule made worse by the lack of availability of competent investigative resource, the stringent demands of proof required to commence criminal proceedings and huge cost to the public purse when the occasional investigation does take place and result in criminal proceedings.

For almost 200 years society has recognised that prevention of criminal behaviour as the proper and effective alternative to the sole threat of severe legal punishment is more effective, efficient and less costly. Reference to the Standards for England 2009 Annual Review demonstrates the growing acceptance of the standards scenario within Local Authorities, together with the advantages that have emerged.

The expectations and responsibilities of the elected member role are many and demanding, always requiring an open display of the highest personal characteristics. The “Model Code of Conduct” was based upon the “Accepted Seven Principles of Public Life”:

- Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership.

The “Code of Conduct” expected of local councillors is to be abolished and with it, seemingly, the abandonment of certain current expectations of councillors. Research published by Standards for England has shown that where standard committees have proved to be successful and have guided routine behaviour positive preventive outcomes have been found, including;

- Established Virtuous Circles:
- Well respected Monitoring Officers
- The ethical tone set by the leadership
- Everyone disposed to be proactive and pre-emptive toward possible misconduct and ethical risks
- A culture of respectfulness in which being virtuous is embraced as part of the organisations identity

The Coalition Government have issued their programme for Government which is based upon three key elements – Freedom, Fairness and Responsibility – in which the

devolvement of power to communities and local government is a key factor. To date there are 438 Standard Committees in England comprising of 4507 elected members and 1658 independent members from the local public. This last group have no other link to the authority than that of their overseeing role on the standards committee. Independent members are important in helping to increase or sustain public confidence in the local standards framework and provide a clear signal that the standards committee is acting fairly and impartially. Put simply their role is:

- Not to serve any political party, solely the democratic process;
- The promotion, education and support of members;
- The promotion of ethical well being within Councils;
- To establish positive relationships with the public;
- To establish and maintain political impartiality.

I contend that this form of public involvement squarely meets the key elements of “The Big Society” mentioned above.

My colleagues and I understand that the present serious economic situation must be addressed by cutting public sector expenditure and that will necessarily impact upon the Standards Regime. We ask that the Secretary of State accepts that **independent local standards committees** should not be abolished and that the expectations of the public regarding ethical behaviour of elected councillors continue to be met through adherence to a published code of conduct. Public Servants generally operate within enforced codes of behaviour answerable to independent bodies. An example is the [Independent Police Complaints Commission](#). It is unlikely that there would be public support for the abolishment of that Commission on the basis that many complaints against police result in no further action and it is difficult to understand why elected politicians should not be subjected to investigation of alleged breaches of expected conduct by an independent entity.

I would be grateful if you could forward my correspondence to the Secretary of State for Communities and Local Government, The Right Honourable Eric Pickles, and ask how the Government will address these concerns.

I have copied Michael Ellis MP for Northampton North, Brian Binley MP for Northampton South and Andrea Leadsom MP for Northamptonshire South, whose constituencies cover the Northampton Borough Council area, as I believe they will have an interest in this issue and I hope will also wish to become involved in preventing the complete abolishment of the existing standards regime without the introduction of statutory arrangements that cover the issues raised in this letter. Furthermore that they support the continuation of local independent arrangements that clearly have bite, maintain appropriate councillor conduct and raise respect for the political process within their electorate.