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**Committee on  
Standards in  
Public Life**

Rt Hon Eric Pickles MP  
Secretary of State  
Department for Communities and Local Government  
Eland House  
Bressenden Place  
London  
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28 June 2012

*Dear Secretary of State*

As I am sure you are aware, the Committee on Standards in Public Life has been closely following the changes which the Government has made to the standards framework for local government which take effect in a few days on 1 July, under the Localism Act 2011.

The Committee has consistently welcomed the Act's objective of returning to a standards regime operated at the local level, something we espoused in our Tenth Report as long ago as 2005. We also recognise the importance of trying to reduce the number of vexatious complaints to which members have been subject. But it would be unfortunate, and damaging, if the attempt to secure these objectives led to an undermining of public confidence in the integrity of local government.

We welcome the fact that your Department has stressed the need to maintain and embed high standards in local government through Bob Neill MP's letter to local authority leaders of 12 April 2012. It goes without saying that strong local leadership by individual leaders and elected mayors, and by the Local Government Association, will be vital if the new regime is to be implemented in a timely and effective manner and public confidence maintained. We are therefore concerned, as I am sure you must be, by signs that a large number of local authorities still have some way to go to meet the policy intentions behind the Act. The fact that the Regulations and Order which take effect from 1 July were laid only on 6 June cannot have helped their preparations.

In early June we wrote to all local authorities in England (excluding parish councils), to ask about their preparations for implementing the new regime. The response rate was 45 per cent. We have no reason to believe that this does not give a broadly representative picture of the situation across local government.<sup>1</sup> Over 77 per cent of the local authorities who responded to our survey have yet to appoint an independent person whose views will be sought on

<sup>1</sup> By 25 June we had received 159 responses from 16 of the 27 county councils, 17 of the 36 metropolitan authorities, including Liverpool, Birmingham, Newcastle, Bradford, Nottingham and Leeds, 24 unitary authorities, 18 London Boroughs and 84 districts. The majority of responses were received in the week beginning 11 June.

standards cases investigated by the local authority. Around 46 per cent have yet to adopt a new code of conduct. We are aware of widespread sectoral concerns about how the new system is likely to bed down.

The Committee has previously expressed concern about the inherent robustness of the new arrangements. We welcome the introduction of a mandatory requirement for local authorities to adopt a local code of conduct based on the seven principles of public life. But codes of conduct are just one of the three elements which the original Nolan Committee and its successors have held as essential for public bodies seeking to establish and maintain high standards. The Committee has consistently argued that codes need to be supported by independent scrutiny to support internal systems for maintaining standards and by the promotion and reinforcement of standards, in particular through guidance and training and the application of appropriate sanctions when those standards are breached.

The way in which the new arrangements rely heavily on a mandatory code of conduct supported by relatively modest sanctions already carries inherent risks. These will be compounded unless all councils implement the new arrangements in a timely and effective manner and are successful in embedding the ethical culture envisaged in Bob Neill's letter. The appointment of effective, local, independent people to provide opinions on cases being investigated by local authorities will be critical to this. Unless these independent persons are in place and seen to be effective, the new system will lack credibility and is unlikely to command public confidence.

We would be very interested to learn how you intend to monitor the implementation of the new arrangements, their impact on standards in local authorities and public perceptions of those standards. The Committee will continue to take a close interest.

I am copying this letter to Clive Betts MP, Chair of the Communities and Local Government Select Committee, Derek Myers, Chairman of Solace, Sir Merrick Cockell, Chair of the LGA and Michael Chater, Chair of NALC. I will also be placing it on the public record.



Christopher Kelly

Chairman