

Satisfaction with the Standards Board for England and Attitudes to the Ethical Environment: Qualitative Investigation following Quantitative Survey

This report summarises the results of qualitative research undertaken during November and December 2007. Six standard focus groups and one on-line focus group were held England-wide, capturing the views of monitoring officers, standards committee chairs and members, councillors, and parish councillors. These groups explored in some depth issues arising from a postal survey of stakeholders conducted earlier in 2007¹.

The findings of this research concur strongly with much of the previous, quantitative study. Again, much of the feedback is very positive, with strong support expressed among all stakeholder groups for the Code of Conduct and much satisfaction with local standards committees and the performance of monitoring officers. There is also a great deal of satisfaction with key Standards Board publications.

1.1.1 The link between stakeholders' satisfaction and relationship with the Standards Board

A key area of additional insight which the focus groups bring is a deeper understanding of the link between satisfaction with the Standards Board and stakeholders' perceptions of the closeness (or remoteness) of the relationship between themselves and the organisation. Stakeholders who express the most positive views of the organisation tend to work closely with the Standards Board and the Code of Conduct. They receive more publications and attend more Standards Boards events than those who have more negative views. Typically those with the most positive views are monitoring officers and members of standards committees. They also tend to feel that the reputation of the Standards Board is gradually improving over time.

¹ BMG 2007
<http://www.standardsboard.gov.uk/Aboutus/Research/filedownload,6462,en.pdf>

In contrast, those who have minimal direct contact with the Standards Board, or feel 'remote' from it, are more likely to hold a neutral or more negative view. Those whose relationship with the Standards Board tends to be weakest are backbench councillors, parish councillors and Conservative members. Some in these groups feel they derive little personal benefit from the existence of the Standards Board and resent what they sometimes see as its needless interference in their voluntary work for the community. Even some of the standards committee members consulted feel somewhat detached from the Standards Board, since they feel the only link between the Standards Board and their committee and authority is their monitoring officer. Those members of standards committees who feel least well informed about the Standards Board are lay members, as opposed to elected members.

It seems that length of involvement with the Standards Board may be linked with satisfaction. Long-standing members of standards committees have much more positive views of the Standards Board than those who have been appointed more recently. This is because they have a greater familiarity with, and confidence in, the organisation's guidance and procedures. Long-standing councillors tend to have more positive views of the Standards Board than those councillors who have been elected more recently.

Stakeholders who feel they have a distant relationship with the Standards Board are more likely to base their views on myth rather than personal experience. Their perceptions seem to be constructed largely from local hearsay and local, and to a lesser extent national, media reports. It seems that media coverage of the very high profile Livingstone and Islington cases has not been a key driver of dissatisfaction with the Standards Board among most stakeholders. Stakeholders believe that the general public's perceptions of behaviour among elected members are based on media outputs, particularly negative stories in local newspapers. It was suggested that the Standards Board needs to publicise its work much more widely in order to meet what some see as its objective of enhancing the reputation of local government among the public.

1.1.2 Criticisms of the Standards Board

Criticisms of the Standards Board expressed by some respondents to the quantitative survey were also made in the focus groups. These include a perception that the organisation has, at least in the past, been overly-bureaucratic and has spent too much time and money investigating allegations which were frivolous and



unfounded ('sledgehammer to crack a nut'). Conversely, others criticise the Standards Board's decision in a large proportion of cases not to investigate, because it is deemed there is 'no case to answer' ('toothless tiger'). Across the groups there is much concurrence that many allegations received by the Standards Board are petty complaints made out of spite by a political opponent or by someone who does not properly understand the organisation's purpose or the Code of Conduct.

Parish councillors and others who have had a complaint made against them at some point are least satisfied with the performance of the Standards Board, especially with its corporate reputation and investigations. Some of the parish councillors consulted feel strongly that they are over-regulated by bodies such as the Standards Board. They also feel that the Standards Board has failed to understand that parish councils have a different way of working from that of other types of local authorities.

1.1.3 Standards of member behaviour

Many respondents feel that the behaviour of elected members has improved to some degree since the Standards Board has been in existence. Some feel that the improvement has been dramatic. Others feel it has been less so, simply because they believe behaviour in their authority has always been exemplary. It is widely held that most elected members and parish councillors are honest and have considerable integrity. It is felt that most of those who have had an allegation made against them upheld have unintentionally fallen foul of the Code, by not being fully aware of the rules. Those who are most likely to feel that standards of behaviour have stayed the same or even worsened are backbench or parish councillors. Given that in the future the majority of authorities will be investigating at a local level it will be interesting to see if the same criticism is levelled at local authorities.

Since the Standards Board has been in existence, many feel that there has been a marked reduction in examples of serious and flagrant misbehaviour such as misuse of authority resources for election campaigns and abuse of expenses. However, most obvious say respondents, is a more respectful use of language during meetings, less bullying behaviour and prejudicial interests now being disclosed routinely at meetings. The reason given by most for the perceived improvement in member behaviour is the existence of the Code of Conduct and high levels of awareness of the rules of behaviour. Several members of standards committees believe behaviour in meetings has

improved because meetings are now observed by at least one member of the standards committee. This means that anyone behaving inappropriately can be warned informally, before an official complaint is made. Monitoring officers also suggest that political parties' own discipline has also kept members' behaviour in check. Scrutiny committees are also considered to have improved ethics with regard to the decision making process. It was suggested that inappropriate language is more likely to be used in meetings if no one party has overall political control.

Respondents feel that member behaviour worsens at election time and during heated debates such as those which are part of the budget setting process. Meetings discussing the possible closure of local facilities were also mentioned as likely to produce inappropriate language by members. Participants also comment that member behaviour tends to deteriorate during fiery meetings which are not chaired sufficiently strictly or are attended by newspaper journalists.

As was found in the quantitative research, there is much disappointment expressed that the general public have not noticed any improvement in the behaviour of local councillors. Participants feel this is mainly due to press interest, particularly by local newspapers, in printing allegations of misbehaviour, but not necessarily drawing attention to decisions of 'no case to answer' or where the accused has been found not to be in breach of the Code of Conduct.

1.1.4 Ethical framework changes

All groups say they were fairly well prepared for the changes to the ethical framework in 2007. Most of those consulted say they have received good or adequate training or induction on the revised Code of Conduct, either from their monitoring officer, from an external consultant or at a Standards Board event. Monitoring officers however, say they would have liked to have had more time to prepare for its introduction. Most useful preparation for backbench councillors, parish councillors and members of standards committees was face-to-face training, conducted usually by their monitoring officer, consolidated with publications from the Standards Board or written materials based on these. Elected members say they receive so much reading material from numerous sources, that it is difficult to recall which piece of written guidance was most useful in preparing them for the 2007 Code. Monitoring officers value most highly the opportunity to learn about the changes face-to-face, at Standards Board roadshows and the Annual Assembly.



Some have also been supported by monitoring officers in neighbouring authorities.

1.1.5 Code of Conduct 2007

There is very little real dissatisfaction with the Code of Conduct 2007 among any of the stakeholder groups. Most respondents feel that although the changes were fairly minor, it is now clearer, more comprehensive and demonstrates more common sense than the original Code. In particular, respondents appreciate greater clarification and tighter definition of terms. Respondents also support councillors' new freedom to speak at meetings when they have a prejudicial interest.

Backbench councillors and parish councillors seem to struggle most with interpretation of parts of the Code of Conduct. Some find it especially difficult to explain the new rules to their constituents. It is clear that some councillors and many of the parish councillors have not received, or not absorbed, sufficient training on the new Code. In particular, they are still unsure about what they are and are not allowed to say in meetings, especially at planning committees. Some also question the suitability of a single Code of Conduct for every type of authority.

1.1.6 Local assessment

Most stakeholders are aware to some extent of local assessment which will apply from April 2008. Least aware of the implications of this are those whose relationship with the Standards Board is weakest, namely some of the backbench and parish councillors. The move to filtering cases and investigating most of them locally is broadly welcomed. Respondents feel it is sensible for local standards committees to handle all but the most complex cases, freeing up the Standards Board to move towards a role of strategic regulator and 'critical friend'. Monitoring officers also feel that local assessment will improve the speed of case resolution and allow them more flexibility in resolving complaints. However, there is concern that local assessment will mean a vastly increased workload for monitoring officers and standards committees – especially those with large numbers of parish councils, which are believed by all stakeholder groups to be the source of the majority of complaints. Some standards committees expect that they will need more members to handle the work. Conversely, some feel that standards committees which handle few cases will not build up sufficient experience to handle any which do arise, on their own. Monitoring officers also foresee possible conflicts of interest for elected members and

for themselves, as well as damage to working relationships with members. A few participants feel local assessment will result in more allegations being made. Conversely others believe that it will result in fewer allegations – because the monitoring officer may be able to resolve complaints before an official complaint is made.

Monitoring officers and some members of standards committees are concerned about the costs of conducting investigations locally. They say it has been extremely difficult to set a budget for this because they do not know how many allegations will be made and how many they will need to investigate.

There is much less preparedness for the local assessment, amongst members of standards committees. Although many have heard much about the local assessment at the Standards Board conference, they comment that the regulations and procedures around handling cases are not yet finalised. They are concerned that once this happens, they may not have enough time to digest them and put them into practice. In conclusion, respondents are reserving judgement on local assessment until they have had time and opportunity to see how it works in practice.

1.1.7 Support and guidance

Monitoring officers are very satisfied with communications with the Standards Board. Some commented that the standard and clarity of Standards Board publications has improved in recent years. The number of publications received, and satisfaction with them, varies enormously among the other stakeholder groups. Long-standing members of standards committees are most satisfied and receive more Standards Board publications – all from their monitoring officer. Some respondents also seek clarification and guidance by telephone. Those newly-appointed to standards committees, backbench councillors and parish councillors seem to have received, recall and read far fewer Standards Board publications. In fact, because they receive so much written information from various sources, some seem to find it difficult to remember which documents have originated from the Standards Board.

Standards Board publications are said to reach councillors via their monitoring officer, or town clerk in the case of parish councillors. Some are comfortable with this, since they trust that the monitoring officer or town clerk provides them with all the information and guidance they need, and will often help to put this into



the local context for them. Others feel their understanding of the Code of Conduct is lacking and would like to see more of the publications produced by the Standards Board. Some respondents feel uneasy that the Standards Board seems to rely solely upon monitoring officers to cascade all relevant information to members.

Some of the backbench councillors did not recall receiving any Standards Board publications apart from *The Code of Conduct 2007 :Guide for members* until prompted with them during the discussion. It is clear that some of these respondents do not regularly read carefully or refer to Standards Board publications, but keep them on file in case they are needed in future. They would welcome being reminded of the key points of the Code of Conduct. Many parish and backbench councillors are satisfied with the publications they receive, but would like to receive more of them, or at least know of their existence and know where they can be obtained. Very few are aware that they can be downloaded from the Standards Board's website. Many would be happy to receive publications directly from the Standards Board, either in addition to, or instead of receiving them from their monitoring officer or town clerk.

Some of the parish councillors indicate that many of their number are either unable to understand the Code of Conduct fully, because of the difficult terminology used, or consider it irrelevant to their role. Some also complain that much of the information received from the Standards Board is not relevant to parish councils.

Most participants like the formats of the publications they have seen and consider them to be relevant, concise, clear and useful. Most respondents prefer to read a hard copy rather than online versions, although they say information must be concise in either format. *The Code of Conduct 2007: Guide for members* is the Standards Board publication which most respondents have seen and find most useful. In fact several respondents brought this booklet to their meetings as an example of clear guidance (received from any source). Those who have received *The Code of Conduct 2007: Pocket guide* were also extremely impressed with this. Fewer respondents recalled spontaneously reading *The Case Review, Town and Parish Standard, Occasional Paper* and *To Higher Standards*, but all those who did were very satisfied with them. Respondents also brought these publications to the groups as examples of clear communication. Some respondents are aware that they receive other publications and guidance from the

Standards Board but could not recall their titles. Monitoring officers and members of standards committee members say they find the *Bulletin* useful. They like its format and conciseness.

1.1.8 Clarity

Those who are most familiar with Standards Board publications feel that they are as clear and easy to read as they can be. Readers like the use of plain English, occasional humour, text in columns, large and bolded fonts, bright colours and the use of bullet points, boxes and white space to break up the text and flow charts to describe processes visually. The Q & A format is also considered easy to read.

When prompted on the subject of clarity, some stakeholders, notably backbench and parish councillors, commented that sometimes text is a little too 'wordy', that the subject matter itself is difficult, and that layouts could be more user-friendly. It was also noted that some documents lack an executive summary which would aid understanding. Some feel that the perceived lack of clarity identified in the BMG Research survey conducted in early 2007 could refer to 'grey areas' of the original Code, which have been clarified in the revised 2007 version. It also seems possible that some respondents are confusing documents originating from other sources with those from the Standards Board. Further, it was suggested that Standards Board publications seem clearer to long-standing members of standards committees than to those, particularly lay members, who have been appointed more recently and are not as well informed.

All respondents concur that what they want from Standards Board publications is clear guidance and illustrative examples and case studies. They expect publications to be well laid out, concise and easy to read, so that the salient points can be easily extracted. With a few exceptions, all types of respondents prefer to receive a large number of short factsheets dealing with one issue at a time than a small number of long detailed documents. Across all of the groups, and especially amongst older respondents, there is a clear preference for hard copies rather than electronic versions.

1.1.9 Standards Board's website, DVDs and events

Monitoring officers use the Standards Board's website regularly and are satisfied with it. Few members of the other groups have seen the website – either because they are unaware of its existence or because they



prefer to read hard copy documents. Those who have looked at it have mixed views on its usability. In contrast with monitoring officers, some comment that they have found it difficult to find what they were looking for on the website and that this lack of accessibility adds to the feeling of remoteness from the Standards Board. Only one respondent has noticed that the website has changed recently – although he was not able to recall exactly what the changes had been.

There was widespread praise for the two Standards Board DVDs which many respondents have seen. The most recent one, illustrating a hypothetical planning meeting was considered especially interesting and useful. Standards Board roadshows and the Annual Assembly are also extremely popular methods of disseminating information, especially among elected members. Respondents also find the break-out sessions and written materials provided at these very useful.

1.1.10 Suggestions for ways of improving support and guidance

The most popular suggestion for improvement of communications was more provision of bespoke publications (with relevant examples and digests of case studies) for particular audiences, particularly parish councillors and for those whose authority is a police, fire, parks or passenger transport authority – rather than a local authority. Parish councillors would like simplified and shorter versions of the documents, which relate only to the work of parish councils. They suggest the publications aimed at them should follow the simple, plain English, bullet-point style of the *Code of Conduct: Pocket guide*. They also suggest that new publications should be piloted in a small number of parish councils before being rolled out nationwide. Monitoring officers were especially keen to see more events and training geared towards the needs of parish and town councillors.

Despite wanting to avoid being overloaded with paperwork, backbench councillors and parish councillors in particular feel the Standards Board should make more effort to make them aware of all of its publications, and signpost them to where they can be obtained. Some feel that publications, at least the principal documents, should come direct from the Standards Board, rather than via the monitoring officer or town clerk. Participants stress that any documents available for download from the Standards Board website should be in an easily printable format. As in the quantitative survey, it was also suggested that the

website be made more easily ‘searchable’ for case histories.

Backbench councillors suggested that the Standards Board should inform them of what they can expect to happen if an allegation is made against them. They would also like to know what rights a councillor has during the process and what help and support the Standards Board can provide. Many of those who have been subject to a complaint feel that there should be more publicity for cases where it is deemed there is no case to answer, or the case is not upheld. Many also feel strongly that action should be taken against those found to be making false and malicious complaints.

Another popular spontaneous suggestion among backbench councillors, was the idea of Standards Board staff contributing articles in magazines which they already read regularly as part of their role. They suggest *Councillor Magazine* and *Local Government First* as suitable titles.

Monitoring officers would like the Standards Board to provide information and guidance on major changes with improved timeliness. They also suggested that conferences could be shortened and some roadshows tailored for monitoring officers. More regional training events, perhaps held on Saturdays, were also suggested by other groups. Many of the standards committee members and parish councillors also suggested that visits from Standards Board staff to their meetings would help to reduce the perception of the organisation’s remoteness. It was also suggested that the Standards Board could facilitate opportunities for members of standards committees to visit neighbouring standards committees to share ideas and best practice.

Finally, it was also suggested that the Standards Board should improve accessibility and transparency by publicising the names, photographs and contact details of key staff whom respondents may have contact with. Some monitoring officers state explicitly that Standards Board staff should make more efforts to develop a closer relationship with them. Many respondents would also like the Standards Board to raise awareness of its role and remit among the general public, and among backbench and parish councillors. In particular, details of how to make a complaint and an outline of the investigation procedure would be welcomed by parish and backbench councillors.

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