

Meeting of CELC representatives with Standards for England

Attendance note – 24th February 2010

Moira Gibb (MG) – Chief Executive Camden
Ged Curran (GC) – Chief Executive Merton
Andrew Maughan – Head of Legal Services Camden

Glenys Stacey (GS) – Chief Executive Standards for England
Vivienne Horton (VH) – Director of Risk

Summary of the Main Points covered

- GS outlined the current agenda for SfE and in particular the suggestions which they are soon to put to government in an attempt to stream line the current framework. This includes suggesting a simpler procedure (with less stages) and greater flexibility regarding the filtering of frivolous complaints. GS considered that this had already been consulted to some extent (via Acses) but details would appear on the SfE web site next week.
- Regarding Categorisation VH acknowledged the criticism of the current suggestions which have only been aired once at the Monitoring Officers conference. In summary this is a risk based system where Councils are categorised to some extent without reference to their standards history. The current suggestion being that inner London Councils are automatically amber (the levels being green, amber and red). This, it was suggested was based upon the impact issues in Inner London have as opposed to other less high profile areas. MG and GC explained why it was considered that great caution was required in automatically labelling any authority. Whilst it was appreciated that it might be true that issues in Inner London acquired greater publicity this was not automatically the case and the language to be used was very significant. VH undertook to take this on board as the issue was further developed.
- The future of SfE was discussed. It was not accepted by GS that it was in any way a “given” that SfE would not survive a change in national government. The feedback she had received was that whilst the system was not perfect some sort of system was needed and most believed that there was a need for an outlet away from Councils in the most serious cases. MG and GC suggested that this was probably the majority but by no means the universal view amongst CE’s in London. GC in particular put the view of many politicians that matters should be locally determined and a return to the pre – code days would be welcome. It was suggested by GS that most would not actually argue against the Code itself (although AM called for it to be simplified particularly around personal and prejudicial interests) and SfE were keen to ensure that the whole process was as streamlined as possible.

- As a result of comments by MG, GC and AM it was agreed that SfE communication has in the past led to Chairs and MO's believing that the Committees and Chairs should become more active and interventionist. This had led to some (albeit relatively minor) local issues. SfE were going to ensure that they specify more clearly what they consider to be the legal minimum that is required and show more care in not inadvertently suggesting that greater activity was required.
- The issue of the £25 limit before declaration of gifts etc was raised as being arguably too low.
- Concern was raised at some recent appeal decisions especially the Richmond and the Barking and Dagenham cases. Whilst all recognised that this was a matter for a separate body GS explained that they were working on issues around the robustness of decision making and attempting to forge a users group with the Tribunal. Again it was also acknowledged that the failure of the Government to correct the legal position re outside none member activity (after the Livingstone decision) and or progress revisions in the code after an extensive and it appears pointless round of consultations last year had contributed to a reduction of faith in the system.
- Finally both GA and VH emphasised the importance of the CEO's role in standards issues. SfE were going in future to seek to communicate more directly with them in recognition of this particularly when it was considered that there were issues in the Borough and for whatever reason the MO required support. They cited an anonymous recent example where the intervention of the CEO has resulted in a rapid improvement in the situation at a District Council.