

The Committee on Standards in Public Life
Standards Matter 2: Public Consultation, Brent's Response

Email to: public@public-standards.gov.uk.

From: London Borough of Brent.

Question 1: Standards of Conduct in the UK

A. How well do you think ethical standards - as enshrined by the Seven Principles of Public Life - are upheld in public life today?

The legal framework established by the Localism Act 2011 ensures high standards of conduct by local councillors which to a large extent is complied with and embedded into daily practice and communication. The code adopted by Brent Council requires its members (including non-voting co-opted members) to maintain a high standard of conduct and, in particular, comply with the Seven Principles of Public Life. The code then sets out the general obligations members must comply with which covers a wide range of behaviours.

Furthermore, Members receive regular training, support, advice and guidance to ensure their conduct is in accordance with the Seven Principles of Public Life and the other behaviours mandated by its code of conduct; and are encouraged to seek advice from the Monitoring Officer for any ethical, or otherwise, matters they are unsure about.

B. Do you believe that there have there been any notable shifts in approaches or attitudes to ethical standards in public life in recent years?

Not in Brent.

C. What do you see as the most significant threats to ethical standards in public life today?

The ability to impose meaningful sanctions for breaches of the Code.

The existing sanctions are insufficient. If a Member, for example, refuses to apologise or undertake training, other than censure, no further action can be taken. There are no sanctions which are a sufficient response to very serious breaches.

The Council has previously made representations to this committee on the pressing need to legislate to address serious and/or persistent misconduct, after being elected, which falls short of even the proposed disqualification criteria. In other words, to empower local authorities to impose meaningful sanctions for code breaches.

The reinstatement of the full range of sanctions available under the former standards regime should be seriously considered by the Government.

In addition, currently the rules on political balance mean that councillors who are members of a political group cannot be removed from committees without the consent of their political group. This should be reviewed. Finally, if it is considered appropriate to make available to local authorities the ultimate sanctions of suspension and disqualification in cases of serious and/or persistent misconduct, consideration should also be given to the forfeiting of allowances: a special responsibility allowance and perhaps even some or all of a member's basic allowance.

Question 2: The Seven Principles of Public Life

A. Do the Seven Principles of Public Life accurately describe the appropriate ethical responsibilities for those in public roles, including both political and non-political officeholders?

Yes, please see above.

B. Would you amend or replace any of the principles or their descriptors? If so, how?

Amend Honesty to *include* "respect" as a "high standard of conduct" as opposed to an obligation within the code. In particular respect for their fellow Councillors and council employees.

Question 3: The UK's arrangements for regulating standards

A. Are you confident that the UK's arrangements for regulating ethical standards are robust and effective?

Please see response to C above.

B. Are there any areas of public life where regulation on issues of ethical standards is not strong enough?

Please see response to C above.

Question 4: Best practice in standards regulation

A. What makes an effective standards regulator?

One example of an effective Standard's regulator is to be able to impose meaningful sanctions, as per above. Consequently, in the absence of a Standards Board there is not an effective external regulator.

B. Do the UK's standards regulators have the right powers and remit to act effectively?

Please see above.

C. Should the independence of standards regulators be enhanced and protected, and if so, how?

Please see above.

Question 5: Creating ethical cultures

A. How can the Seven Principles best be embedded within a public sector organisation's working culture?

The council takes the issue of standards and the Nolan principles seriously, accordingly it is referenced into the protocol for member/ officer relations and the Council's Constitution. In addition, it is embedded into the working culture by being included in training, support, advice and guidance to the wider council.

B. What are the most significant obstacles to embedding high ethical standards in a public sector organisation?

The absence of effective sanctions.