

Committee on Standards in Public Life

**Robert Smith**  
Chief Executive Officer

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Dear Sir/Madam,

## Accountability within public bodies – acting on early warning signs

The Society of Local Council Clerks (SLCC) is the professional body representing town, parish and community council clerks in England and Wales. More than 3,700 local council clerks are in membership serving over 5,000 town, parish and community councils throughout England and Wales.

### SLCC response

In formulating this response, SLCC has conducted a survey of our membership in relation to the consultation. We received 147 responses and have provided tabulated summaries of the most notable responses to the consultation questions as follows:

#### Question 1

**What are the main reasons why public bodies might fail to act quickly and decisively at the first sign of a problem within the organisation?**

Lack of knowledge and training about handling problems by individual councillors and/or council as a corporate body	77%
Lack of acknowledgement that there is a problem at the council	72%
Fear of coming forward or reprisals	55%
Lack of support and resource	47%

#### Question 2

**Can you describe any examples of practical measures used by public bodies to ensure that employees are guided by the Nolan Principles at critical decision points, including but not limited to decision-making models, codes of conduct, guidance and training?**

Code of Conduct (aligned with your principal council)	82%
Standing Orders	91%
Financial Regulations	86%

Regular updating of the Register of Interests	70%
My council has signed up to the sector's Civility & Respect Pledge	67%
Training on roles and responsibilities during each election term, and when new members or officers join the council	55%

Note: details of the local council sector's Civility & Respect project can be found [here](#) and details of the pledge can be found [here](#).

### Question 3

**Public bodies are required to manage a variety of risks to the successful delivery of public services. What role can data play in understanding these risks?**

Internal audit	98%
Risk Assessment reviewed and adopted annually	97%
A complaints procedure and register (to include complaints by councillors and the public)	81%
Insurance review	84%

### Question 5

**What practices and behaviours can the boards of public bodies adopt to ensure that they have proper oversight of their organisation?**

Publication of internal and external audit reports	97%
Record of attendance at council meetings with approval of absence	94%
Access to good guidance and legal advice via sector membership organisations ( e.g. Town and Parish Council Tool Kit, Practitioners Guide, The Good Councillors Guide)	93%
Training budget in place	90%
Publication Scheme	84%

### Question 7

**Accountability in public life can sometimes be associated with blame. How can public bodies build a culture where people feel safe to speak up about concerns, allowing problems to be addressed early and lessons to be learned?**

For this response we simply asked our members if their council currently had a culture where councillors and staff feel safe to speak about concerns, allowing problems to be addressed early and lessons learned. 62% responded yes, with 38% responding no.

Supplemental to this, we asked those who had responded no, what they believed the reasons for this were. 37% said it was due to a lack of proper sanctions for poor behaviour which can mean that councillors and staff feel it is not worth raising an issue.

## **Recommendations from SLCC's findings**

An overwhelming majority (83%) of our respondents believe that town, parish and community councils are transparent about how they operate and make decisions on behalf of the public.

It is, however, clear from previous research, anecdotal evidence and our members' responses to our survey and this consultation, that their views are dominated by the issue of standards of behaviour and their vulnerability of employment as public officers. There is evidence which suggests that this is associated with a lack of accountability on the part of local councils as bodies and a significant part of that is because of the absence of consequence for breaches of the code of conduct.

For clarity, it is a minority of respondents that report specific issues in this regard with many reporting positive experiences of culture and working practice. The large majority of respondents, irrespective of their current personal experience and context, recognise this as a significant issue.

Based on our members' feedback, our recommendations in terms of means by which accountability within public bodies may be improved are as follows:

### **1. Maintain good governance**

- Establish governance which allows officers to perform their duties while ensuring robust oversight and transparency.
- Regularly review and update governance policies to reflect best practices and current legislation.
- (Specific to local government) review the Local Government Act 1972. The act is over 50 years old and business practice, speech and language have evolved. This may bring more clarity and better practice to the sector.

### **2. Create a positive and proactive culture**

- Promote the values of respect, integrity, and accountability (in line with our sector's 'Civility & Respect' project and pledge as referenced above).
- Encourage elected members and officers to work collaboratively, solving problems together and treating each other as they would like to be treated.

### **3. Drive knowledge and understanding through training**

- Provide training to improve knowledge and understanding – specifically (within our sector) on employment matters for the different roles and responsibilities, powers and the duties.
- Introduce mandatory induction training for all newly elected members, covering employment law, the Nolan Principles, Code of Conduct, Civility & Respect Pledge and conflict resolution and mediation.
- Conduct regular refresher training and continuous professional development for elected members and officers.

**4. Maintain open communication and intervention channels**

- Maintain a regime of regular meetings and forums for open dialogue between officers and elected members.
- Provide professional training or trained HR experts to offer, advice and mediation.
- Establish anonymous reporting mechanisms for officers to safely report bullying and harassment.

**5. Implement good employment practices**

- Maintain clear employment policies with defined procedures for addressing complaints.

**6. Ensure consequence for breach / non compliance**

- (Specific to our sector) change legislation to provide for sanctions for breaches of the code of conduct.

Please accept my thanks for the opportunity to comment on this important consultation. If it would be helpful, I would be pleased to meet with or speak to officials to explain in more detail the points and observations raised here.

Yours sincerely,



Rob Smith  
Chief Executive SLCC