



Bob Neill MP
Parliamentary Under Secretary of State

**Department for Communities and Local
Government**
Eland House
Bressenden Place
London SW1E 5DU

Tel: 0303 444 3430
Fax: 0303 444 3986
E-Mail: bob.neill@communities.gsi.gov.uk

www.communities.gov.uk

To all Local Authority Leaders

28 June 2012

Dear Colleague,

I am writing to update you on the introduction of the new standards and conduct arrangements for members which will apply from 1 July 2012 in all principal authorities, including your council.

Following extensive debate in Parliament and the Royal Assent of the Localism Act, we have now put in place all the secondary legislation necessary to introduce these new arrangements, including the provisions for disclosable pecuniary interests and winding down the last vestiges of the centralist Standards Board regime. Our new localist approach gives councils wide freedoms to decide their own arrangements for promoting high standards of conduct for all their members, and I know that many councils have over recent months been preparing for this.

To help I wrote to you in early April with an illustrative example of a simple, straightforward local code. I felt it was important that councils did not feel the need to spend money on external legal advice on drawing up a new code, and were not pressured into simply adopting the old centralist code, with all the associated problems it brought on malicious and frivolous complaints.

<http://www.communities.gov.uk/publications/localgovernment/localcodeconduct>

All councils now have the opportunity to make a clean break from the bureaucratic standards arrangements of the old regime which so often led to petty or politically motivated complaints. I am sure you and your council will wish to make the most of this opportunity and put in place simple, fit-for-purpose arrangements in which all can have confidence. It will be important that all can clearly see your new arrangements are not some modified continuation of the old discredited regime, but rather a fresh start creating genuine trust and accountability between your council and local people.

Accordingly, I would particularly draw your attention to the role of the new independent person. This is in no way similar to the role of the independent chairman and independent members on the former standards committees. That former role was principally to be involved in the determination of allegations about misconduct of members. In contrast the role of the new independent person is wholly advisory, providing advice to the council on any allegation it is considering, and to a member facing an allegation who has sought the views of that person.

Notwithstanding these fundamental differences between the roles of the new independent person and members of standards committees, following representations from local government, we have made transitional arrangements to allow the appointment as an independent person of someone who has been an independent chairman or member of the authority's standards committee.

However, given the importance that the new arrangements are, and are clearly perceived to be, a wholly fresh start we are minded to make further provision so that any former member of a standards committee appointed under the transitional arrangements as an independent person can hold that office only until 30 June 2013.

Finally, my Department intends to publish a guide to members' pecuniary interests to help local authorities, particularly for parish councils who may have fewer resources to hand. I am keen to correct any potential misconceptions that the arrangements for disclosing pecuniary interests are more onerous on parish councils than was previously the case.

The guide will be made available on my Department's website shortly.

A handwritten signature in black ink, appearing to read 'Bob Neill', with a large, stylized initial 'B' and a long, sweeping underline.

BOB NEILL MP