

Governance and Audit Committee

Item
11

24 June 2019

Report of	Monitoring Officer	Author	Andrew Weavers
			 282213
Title	Committee on Standards in Public Life Findings on Review of Local Government Ethical Standards		
Wards affected	N/A		

1. Executive Summary

- 1.1 The purpose of this report is to inform the Committee of the findings by the Committee on Standards in Public Life following its recent review of local government ethical standards.

2. Recommended Decision

- 2.1 To note the report by the Committee on Standards in Public Life in relation to local government ethical standards including best practice for the improvement of ethical standards.

3. Reasons for Recommended Decision

- 3.1 To inform the Committee of the findings contained in the report by the Committee on Standards in Public Life following its review of local government ethical standards.

5. Background Information

- 5.1 At its meeting on 6 March 2018 the Committee considered a paper on the stakeholder consultation being undertaken by the Committee on Standards in Public Life in relation to Local Government Ethical Standards.
- 5.2 At its meeting on 5 June 2018 the Committee noted the Council's response to the stakeholder consultation.
- 5.3 The Committee on Standards in Public Life is an independent advisory Non-Departmental Public Body and was established in 1994 by the then Prime Minister under the chairmanship of Lord Nolan. Within its first report the Committee defined the Seven Principles of Public Life, commonly known as the Nolan Principles. As this Committee is aware, these principles continue to be relevant and are incorporated in the Borough Council's Code of Conduct for Members.
- 5.4 The Committee monitors and considers issues and concerns relating to standards in public life, including standards in local government. The purpose of the current Review was for the Committee to assure themselves that the current standards framework is conducive to promoting and maintaining the standards expected by the public. The report can be accessed by clicking on the following link:

<https://www.gov.uk/government/publications/local-government-ethical-standards-report>

- 5.5 The terms of reference for the review are detailed in the report at page 20 and were to:
1. Examine the structures, processes and practices in England for:
 - (a) maintaining codes of conduct for local councillors
 - (b) investigating alleged breaches fairly and with due process
 - (c) enforcing codes and imposing sanctions for misconduct
 - (d) declaring interests and managing conflicts of interest
 - (e) whistleblowing
 2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
 3. Make any recommendations for how they can be improved
 4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation
- 5.6 The Review identified some specific areas of concern relating to bullying and harassment and other disruptive behaviour by a minority of councillors. The Review also identified a number of risks in respect of the current rules around conflicts and declaring of interests, gifts and hospitality and the increased complexity of local government decision-making.
- 5.7 However, the Review continues to support the current framework whereby local authorities have responsibility for ethical standards, and although the need for a central body to govern and adjudicate on standards was considered, the Committee has concluded that there is no reason to reintroduce centralisation.
- 5.8 The Committee has made 26 recommendations and identified 15 recommendations of best practice to improve ethical standards in local government. The recommendations include the suggestion for the Local Government Association (LGA) to create an updated model code of conduct, to enhance consistency and the quality of local authority codes. There are also further recommendations regarding declaring and managing interests, investigations and safeguards, and sanctions. The full list of recommendations is included within the report at pages 14 – 17. Some of these recommendations will require Parliamentary time as they require changes to legislation.
- 5.9 The Report confirms that the best practice recommendations for local authorities should be considered a benchmark of good ethical practice which all local authorities should implement. The full list of best practice recommendations is included at pages 18-19 of the report.

6. Standard References

- 6.1 There are no particular references to the Strategic Plan; publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.