

**COMMITTEE ON STANDARDS IN PUBLIC LIFE
REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS
PROPOSED AMENDMENT TO PROCEDURES**

MEETING: (1) STANDARDS AND AUDIT COMMITTEE
(2) CABINET MEMBER FOR FINANCE AND GOVERNANCE

DATE: (1) 27TH NOVEMBER 2019
(2) tbc

REPORT BY: MONITORING OFFICER

WARD: ALL

FOR PUBLICATION

1.0 PURPOSE OF REPORT

1.1 To seek members' approval to changes in Council procedure and guidance following consideration by the Committee, in February and April, of the review by the Committee on Standards in Public Life (CSPL) on local government ethical standards.

2.0 RECOMMENDATION

2.1 The Council's procedures for consideration of complaints against members be amended as set out in Appendix 2 and 3 and guidance on declaration of gifts and hospitality be updated, in accordance with the committee response to the CSPL best practice recommendations.

3.0 BACKGROUND

3.1 The current standards system has been in place since changes were introduced by the coalition government in the Localism Act 2011. While

simplifying the members' ethical standards system, dispensing with much bureaucracy, and closing the national body overseeing standards (Standards for England), after several years of operation there is a growing belief that the current system lacks teeth and consistency.

- 3.2 The annual report on standards to this committee in February referred to the recommendations of the CSPL review, published late January¹.
- 3.3 A detailed further report on the review was submitted to the Committee in April to ascertain the extent of members' support for various suggested best practice amendments to policies and procedures.

4.0 CSPL REVIEW AND COMMITTEE RESPONSE

Members are reminded about the CSPL review:

The Report

- 4.1 The 110 page CSPL report was published on 21st January 2019. It made 15 best practice recommendations that local authorities should adopt and a further 26 recommendations for action by government or other organisations.

Executive Summary

- 4.2 While the complete report can be accessed online, the 3 page executive summary is attached at Appendix 1 to the April report. The overriding message of the review is that high standards of conduct in local government are needed to protect the integrity of decision making, maintain public confidence and safeguard local democracy.
 - 4.3 The CSPL report concludes that while the vast majority of councillors and officers maintain high standards of conduct, some councillors nationally do not behave properly, most of the cases relating to bullying, harassment or disruptive behavior. In some cases misconduct is persistent or repeated.
 - 4.4 The government has yet to respond to the CSPL report.
- ##### *Committee views*
- 4.5 The April report to this Committee examined the review themes and recommendations. The Council's standards system compared well to the recommendations. Members' views in April are summarized in column 7 of Appendix 1.

¹ <https://www.gov.uk/government/collections/local-government-ethical-standards>

5.0 PROPOSED CHANGES TO COUNCIL PROCEDURES AND GUIDANCE

- 5.1 In response to members views, proposed action is set out in italics in column 7 of Appendix 1. Draft amendments have been made to the Council's procedures for considering complaints against councilors and for hearings. These are shown in red in Appendix 2 and Appendix 3 respectively.
- 5.2 The Local Government Association is beginning to consider a new draft Code of Conduct. A seminar has been arranged in January, to which Monitoring Officers have been invited, to discuss what changes are needed.
- 5.3 Accordingly, no changes are currently recommended to the wording of the Council's Code of Conduct.
- 5.4 In view of this, best practice changes relating to Gifts and Hospitality (declaration of gifts and hospitality totaling £100 and over in any one year) are proposed to be added to member guidance on gifts and hospitality, rather than the wording of the Code of Conduct itself at this stage.

6.0 CONCLUSIONS

- 7.1 The CSPL report was welcomed by members with support given to the Monitoring Officer for certain best practice changes to procedures.
- 7.2 These changes have now been incorporated into draft changes to Council procedures and guidance.

7.0 RECOMMENDATION

- 8.1 The Council's procedures for consideration of complaints against members be amended as set out in Appendix 2 and 3 and guidance on declaration of gifts and hospitality be updated, in accordance with the committee response to the CSPL best practice recommendations.

8.0 REASON FOR RECOMMENDATION

- 8.1 To enable the Council to operate the ethical standards system effectively and as recommended by the Committee on Standards in Public Life in accordance with best practice and as required by the law.

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