

**Report to:**

## **STANDARDS COMMITTEE**

**Relevant Officer:**

Mark Towers, Director of Governance and Partnerships / Monitoring Officer

**Date of Meeting:**

3 December 2020

## **COMMITTEE ON STANDARDS IN PUBLIC LIFE – LOCAL GOVERNMENT ETHICAL STANDARDS REVIEW UPDATE**

### **1.0 Purpose of the report:**

1.1 To receive an update on the best practice recommendations from the findings of the Committee on Standards in Public Life review of local government ethical standards.

### **2.0 Recommendation(s):**

2.1 To consider the report of the Best Practice issues set out in Appendix 4(a).

2.2 To agree the Complaints Handling Process as set out in Appendix 4(b).

### **3.0 Reasons for recommendation(s):**

3.1 To update members on the report of the Committee for Standards in Public Life and consider the best practice recommendations and how these may affect other associated documents and resources.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None, options are set out in the report.

### **4.0 Council Priority:**

4.1 This report covers all of the Council's priorities.

## 5.0 Background Information

5.1 Members will be aware that at the last meeting of the committee there was consideration given to the final report of the Committee on Standards in Public Life review of local government ethical standards. The report can be accessed at the following link.

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

5.2 The Committee on Standards in Public Life advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. It is an independent advisory non-departmental public body. The above report was submitted to Government but there has been no formal response yet to its recommendations.

5.3 As a reminder the terms of reference for the review were to:

- i. Examine the structures, processes and practices in local government in England for:
  - Maintaining codes of conduct for local councillors.
  - Investigating alleged breaches fairly and with due process.
  - Enforcing codes and imposing sanctions for misconduct.
  - Declaring interests and managing conflicts of interest.
  - Whistleblowing
- ii. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
- iii. Make any recommendations for how they can be improved;
- iv. 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.

5.4 The full recommendations from the report are made to Government, the Local Government Association, Parish Councils and political parties.

Key recommendations included:

- a new power for local authorities to suspend councillors without allowances for up to six months with a right of appeal for suspended councillors to the Local Government Ombudsman.
- revised rules on declaring interests and gifts and hospitality.
- an updated voluntary Model Code of Conduct to be introduced with local authorities to retain ownership of their own Codes of Conduct.
- a strengthened role for the Independent Person.
- Monitoring Officers provided with adequate training, corporate support and resources and statutory protections to be expanded.
- greater transparency about the number and nature of Code complaints.
- Political groups set clear expectations of behaviour by their members and code of conduct training to be mandatory.

- 5.5 Many of the Committee for Standards in Public Life recommendations will require primary legislation and will be subject to Parliamentary timetabling. Some changes can be made through secondary legislation or amendments to the Local Government Transparency Code. The best practice recommendations are a matter for individual local authorities.
- 5.6 At the last meeting of the committee it agreed to take steps to introduce all the best practice recommendations where relevant and asked for an update at this meeting. A number of the good practice recommendations are now being considered as part of the proposed LGA model code of conduct which is referred to in Agenda item 3, which was not planned 12 months ago and appropriate reference has been made to these in the update. To assist members a further a column has been added to show how the recommendations have been progressed.
- 5.7 A joint approach with Fylde Borough Council Monitoring Officer and the independent persons has seen the production of a complaints handling procedure. This is largely based on current practice and the inclusion of recommendations from the Committee for Standards in Public Life review. A draft is included at Appendix 4(b) and a similar version is going to the Fylde Audit and Standards Committee.
- 5.8 Does the information submitted include any exempt information? No

5.9 **List of Appendices:**

Appendix 4(a) – Best Practice recommendations/ Monitoring Officer comments to Local Authorities from the Local Government Ethical Standards Review.  
Appendix 4(b) – Draft Complaints Handling procedure.

6.0 **Legal considerations:**

- 6.1 None. The Council has to have in place a code of conduct. If Central Government agrees the recommendations put to it then there would need to be changes to it which would be brought back to this committee.

7.0 **Human Resources considerations:**

- 7.1 The Monitoring Officer is provided with adequate training, corporate support and resources to undertake this work.

8.0 **Equalities considerations:**

- 8.1 None.

**9.0 Financial considerations:**

9.1 There are no financial implications associated with this report.

**10.0 Risk management considerations:**

10.1 None.

**11.0 Ethical considerations:**

11.1 None.

**12.0 Internal/ External Consultation undertaken:**

12.1 There has been consultation with the Monitoring Officer at Fylde Borough Council and the independent persons on the draft complaint handling procedure.

**13.0 Background papers:**

13.1 Report of the Committee on Standards in Public Life  
Local Government Ethical Standards - A Review by the Committee on Standards  
in Public Life.

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