

## Implementation of Best Practice Recommendations from the Committee on Standards in Public Life Report

<b>Corporate Priority:</b>	Service excellence in all we do
<b>Relevant Ward Member(s):</b>	N/A
<b>Date of consultation with Ward Member(s):</b>	N/A
<b>Exempt Information:</b>	No

### 1 Summary

- 1.1 To provide an update on how the Council is implementing best practice recommendations derived from the findings of the Committee on Standards in Public Life review of local government ethical standards.

### 2 RECOMMENDATION

That Audit and Standards Committee:

- 1.2 Notes the Action Plan for implementation of the best practice recommendations as set out at Appendix A

### 2 Reason for Recommendations

- 2.1 Implementation of the best practice recommendations will demonstrate the Committee's continued commitment to promote and maintain high standards of conduct by members of the Council.

### 3 Background

- 3.1 The Committee on Standards in Public Life ("CSPL") 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. CSPL is an independent advisory non-departmental public body.

- 3.2 During 2018, the CSPL undertook a review of local government ethical standards. This review was not prompted by any specific allegations of misconduct or council failure, but rather to review the effectiveness of the current arrangements for standards in local government, particularly in light of the changes made by the Localism Act 2011. The terms of reference for the review were to:
- 3.2.1 Examine the structures, processes and practices in local government 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
- 3.2.2 Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
- 3.2.3 Make any recommendations for how they can be improved;
- 3.2.4 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.
- 3.3 The review covered all local authorities in England, of which there are 353 principal authorities, with 18,111 councillors, and an estimated 10,000 parish councils, with around 80,000 parish councillors.
- 3.4 The Committee did not take evidence relating to Combined Authorities, metro mayors, or the Mayor of London and so do not address these areas of local government in this report.

## **4 Main Considerations**

- 4.1 On 30 January 2019, the CSPL published its report and recommendations on ethical standards in local government, following a year-long review and wide consultation. Key recommendations include:
- 4.1.1 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
- 4.1.2 Revised rules on declaring interests and gifts and hospitality
- 4.1.3 An updated voluntary Model Code of Conduct to be introduced with local authorities to retain ownership of their own Codes of Conduct
- 4.1.4 A strengthened role for the Independent Person
- 4.1.5 Monitoring Officers provided with adequate training, corporate support and resources and statutory protections to be expanded
- 4.1.6 Greater transparency about the number and nature of Code complaints

4.1.7 Political groups set clear expectations of behaviour by their members and Code of Conduct training to be mandatory

- 4.2 A copy of the full CSPL report is a background paper to this report and is available at <https://www.gov.uk/government/publications/local-governmentethical-standards-report>. The report included an Executive Summary, List of Recommendations and Best Practice.
- 4.3 The Committee will note that one of the recommendations to introduce a model Code has already commenced and a draft was considered by the Committee at the previous meeting. A response to the consultation on the model Code was submitted by the Monitoring Officer and the model Code will be key to the Council achieving many of the best practice recommendations.
- 4.4 In terms of what has happened since the report was released; many of the CSPL recommendations will require primary legislation; the implementation of which will be subject to Parliamentary timetabling. Some changes can be made through secondary legislation or amendments to the Local Government Transparency Code, which could be implemented by government relatively quickly. The best practice is a matter for individual local authorities and an Action Plan is attached at Appendix A to enable the Council to implement them.
- 4.5 The Committee is requested to consider the Action Plan and note both progress towards achieving best practice and how it will be met in the future.

## **5 Options Considered**

- 5.1 Not to implement best practice which would not demonstrate the Committee's continued commitment to promote and maintain high standards of conduct by members of the Council.

## **6 Consultation**

- 6.1 The Monitoring Officer has regular meetings with neighbouring authorities to ensure consistency throughout Leicestershire.

## **7 Next Steps – Implementation and Communication**

- 7.1 To continue to implement best practice recommendations
- 7.2 A quarterly update to be provided to the Committee if relevant

## **8 Financial Implications**

- 8.1 There are no financial implications contained within the report.

**Financial Implications reviewed by: Director for Corporate Services**

## **9 Legal and Governance Implications**

- 9.1 The Monitoring Officer has a statutory duty to ensure good standards.
- 9.2 Under the Localism Act 2011, Local authorities are responsible for councillor standards and conduct. They must maintain a code of conduct and a register of disclosable pecuniary interests, and deal with allegations of breaches in the code and failure to register pecuniary interests.

**Legal Implications reviewed by: Director for Governance and Regulatory Services**

## **10 Equality and Safeguarding Implications**

- 10.1 Equality and safeguarding issues will be considered as part of the implementation of best practice recommendations.

## **11 Community Safety Implications**

- 11.1 There are no implications contained within the report.

## **12 Environmental and Climate Change Implications**

- 12.1 There are no implications contained within the report.

## **13 Other Implications (where significant)**

- 13.1 There are no further implications contained within the report.

## **14 Risk & Mitigation**

- 14.1 There are no risks in noting the Action Plan.

## **15 Background Papers.**

- 15.1 Report of the Committee on Standards in Public Life
- 15.2 Local Government Ethical Standards - A Review by the Committee on Standards in Public Life. <https://www.gov.uk/government/publications/local-government-ethical-standardsreport>

## 16 Appendices

### 16.1 Appendix A - Action Plan

<b>Report Author:</b>	<b>Kieran Stockley</b> , Legal and Governance Manager
<b>Report Author Contact Details:</b>	01664 504336 KStockley@melton.gov.uk
<b>Chief Officer Responsible:</b>	<b>Adele Wylie</b> , Director for Governance and Regulatory Services
<b>Chief Officer Contact Details:</b>	01664 504205 awylie@melton.gov.uk