



REPORT OF:	The Monitoring Officer
TO:	Standards Committee
DATE:	28 October 2020

Subject:

Committee on Standards in Public Life - Local Government Ethical Standards

1. PURPOSE OF THE REPORT

To provide the Committee with an update and proposal on the recommendations made in the Committee on Standards in Public Life report of January 2019 on local government ethical standards. In addition, the report invites members to review and update the current Member Conduct Complaints Form.

2. RECOMMENDATIONS

The Committee is asked to:

1. Agree that In the event the new Member Code of Conduct being developed by the LGA is not published by January 2021, the Committee revisit the recommendations attached from the Committee on Standards in Public Life with a view to making recommendations to full council to incorporate them, where not already covered, into the Council's current local Code of Conduct.
2. Review the current Complaints Form utilised by complainants to register their complaints/concerns with the Monitoring officer and agree any changes for the publication of an updated form from 1st November 2020.

3. BACKGROUND

The Committee on Standards in Public Life made a number of recommendations in their January 2019 [report](#) on local government ethical standards.

As reported at the July Standards Committee meeting in that report, they identified 15 best practice recommendations which they consider represent a benchmark for ethical practice and which they expect any local authority should implement (Appendix A refers)

The Monitoring Officer and Head of Legal & Governance are reviewing the recommendations made against the current Code of Conduct and Arrangements for dealing with Complaints about the Code of Conduct for Members.

However at the last meeting of the Standards Committee in July the Committee commented upon the development of a revised National Code of Conduct by the Local Government Association.

Clearly the adoption of this Code of Conduct would be expected to incorporate the 15 best practice recommendations from the Committee on Standards in Public Life report of January 2019, but work has likely been adversely impacted by the Covid-19 Pandemic.

4. RATIONALE

The Local Government Association (LGA) has committed to reviewing the current model member code of conduct, as recommended by the Committee on Standards in Public Life's report into [Local Government Ethical Standards](#). Their final report is awaited.

In the meantime the Standards Committee has the role within the Council (as set out in the Constitution), to promote and maintain high standards of conduct by councillors and co-opted members and to assist councillors and co-opted members to observe the Members Code of Conduct.

The review of best practice recommendations was expected earlier in the year however as reported to the Committee in July, the Head of Secretariat of the Committee on Standards in Public Life wrote to Chief Executives advising that although they:

“indicated that they would review the implementation of those best practice recommendations in 2020, We completely understand the unexpected and unprecedented pressures that local authorities are facing this year with COVID-19, so we are not of course asking for an immediate response.”

Accordingly, the Committee was provided a copy of the recommendations for their consideration over the summer at their July meeting with a view to finalising a response at this meeting. Given however the likely revised National Code of Conduct being published by the LGA soon, it is suggested the Standards Committee delay consideration of making local changes to our existing Code until January 2021 to allow time for the new national Code of Conduct to be published.

In the event that the new Code being developed by the LGA is not published by January 2021, the Committee is recommended to revisit the recommendations attached with a view to incorporating them, where not already covered, into the current local Code of Conduct.

Separately as part of the Committee's work programme for 2020/21 it has also been suggested that the Committee in particular review the associated Complaints Form utilised by complainants to record their concerns for consideration by the Monitoring Officer.

A copy of the current Form utilised is attached as Appendix B. This form has been in place for a number of years and the current Code of Conduct requires that the Complainant use this form to record their complaint in writing. The Committee pending the wider revision of the Code of Conduct outlined above is invited to consider, what if any, changes it suggests be made to the form.

5. LEGAL IMPLICATIONS

The current Council Code of Conduct and complaint processes was adopted in line with the Council's obligations under section 27 (2) of the Localism Act 2011 and complies with the requirements under section 28 of the Act. Consideration of revisions reflecting on the Committee on Standards in Public Life's report into local government ethical standards as regards Code of Conduct are being led by the LGA. Any final recommendations for adoption of revisions to the current Code of Conduct or to take on board the wider recommendations as set out would be subject to approval by full council.

6. POLICY IMPLICATIONS

A governance framework in local authorities is necessary to promote and maintain high ethical standards, and to ensure public confidence.

7. FINANCIAL IMPLICATIONS

None contained in this report.

8. CONSULTATIONS

The Standards Committee regularly discusses the Council's arrangements for promoting and maintaining high standards of conduct, and the Report produced by the Committee on Standards in Public Life was widely circulated and followed a consultation process in 2018.

Chief Officer/Member

Contact Officer: David Fairclough
Date: 19 October 2020

Background Papers: Report by Committee on Standards in Public Life – Local Government Ethical Standards