



**REPORT OF: DIRECTOR OF HR & LEGAL & GOVERNANCE**

**TO: STANDARDS COMMITTEE**

**ON: 23rd October 2019**

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**SUBJECT: LGA – Councillors Advice on Handling Reference Requests**

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## **1. PURPOSE OF THE REPORT**

To consider any amendments to the current advice issues to Councillors in responding to requests for references.

## **2. RECOMMENDATIONS**

The Standards Committee is asked:

1. To review the current advice last issued in December 2016 on advice to Councillors who are requested to provide references.
2. To provide any proposals for change to the advice for adoption by the Council

## **3. BACKGROUND**

Councillors are often requested to provide references for various reasons and previously advice has been sought on how such requests should be responded to given the `office` of Councillor and the associated role, functions and standards of conduct of `office`.

Advice was last issued in December 2016 and requests have been made for this advice to be reviewed and if appropriate re-issued.

Prior to re-issue the Standards Committee is invited to review the previous advice and provide any proposals for change to the advice for adoption by the Council.

The current advice is set out in Appendix A.

## **4. RATIONALE**

The Standards Committee's role and function includes oversight of the development of quality information being provided to members in their roles as decision makers and Ward councillors. It also includes the direct provision of related member development training and advice, promoting high standards in the conduct of council business.

The provision of some Guidance to Councillors on how to help them decide on responding to a request for a reference, given their role as a councillor is consistent with the role and function of the Committee.

## **5. POLICY IMPLICATIONS**

There are no direct policy implications from the report.

## **6. FINANCIAL IMPLICATIONS**

There are no financial implications from this report.

## **7. LEGAL IMPLICATIONS**

There are no legal obligations on councillors to provide a reference or testimonials, nor are there any legal restrictions. However, Councillors should not provide personal references on any matters where the Council is involved in anyway; otherwise, there could be a potential breach of the Code. In relation to other matters, any personal reference provided by a Councillor should not have any inference that it is connected in any way or on behalf of the Council. The Council may therefore adopt appropriate and reasonable safeguards to ensure this. In addition, councillors providing personal references are advised that the contents are honest and factual. Any responsibility, liability or any other consequence arising from providing a personal reference would rest entirely with the Councillor concerned, and not with the Council.

## **8. RESOURCE IMPLICATIONS**

Once updated and issued there are no additional resource implications from the review of the Guidance by the Standards Committee.

## **9. EQUALITY IMPLICATIONS**

There are no equality implications from the update of the guidance as this will be in accordance with the Member Code of Conduct and wider legislation.

## **10. CONSULTATIONS**

The Standards Committee is being consulted via this report and any recommendations for change will be presented for agreement at full council.

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Date: 4<sup>th</sup> October 2019