

## **COUNCILLOR CONDUCT COMMITTEE**

**13 MARCH 2019**

### **UPDATE ON A REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS**

Report from: Jan Guylor, Deputy Monitoring Officer

#### **Summary**

This report provides an overview of the key outcomes of the report published in January 2019 by the Committee on Standards in Public Life on the subject of ethical standards in local government.

#### **1. Budget and Policy Framework**

- 1.1 The Councillor Conduct Committee is responsible for promoting and maintaining high standards of conduct by Councillors and voting co-optees serving on Council Committees. The Committee has power to advise, train or arrange training for Councillors and co-optees on matters relating to the Members' Code of Conduct.

#### **2. Background**

- 2.1 The Committee on Standards in Public Life published its 20<sup>th</sup> report in January 2019 on the subject of ethical standards in local government. The purpose of this report and the Highlights and Recommendations Report in Appendix 1 attached hereto is to provide the Councillor Conduct Committee with a summary of the highlights of the report, the recommendations made to be actioned by central government and best practice recommendations to be actioned by local authorities.
- 2.2 Officers will report back to the Councillor Conduct Committee in the summer on proposed actions, along with a review of the Council's processes and procedures.
- 2.3 The Committee found that the vast majority of councillors and officers want to maintain the highest standards of conduct, however a minority of councillors engage in bullying or harassment, or other highly disruptive behaviour. The Committee also found that a small number of parish councils give rise to a disproportionate number of complaints about poor behaviour.
- 2.4 The Committee raises concerns about a risk to standards under the current arrangements, as a result of the current rules around declaring interests, gifts and hospitality, and the increased complexity of local government decision-making. Whilst the consistency and independence of the system could be enhanced, there is no reason to reintroduce a centralised body, and local authorities should retain

ultimate responsibility for implementing and applying the Seven Principles of Public Life in local government.

- 2.5 The Committee has made a number of recommendations and identified best practice to improve ethical standards in local government, these recommendations are made to government and to local authorities. In summary it is recommended that:
- 2.5.1 an updated model code of conduct should be available to local authorities to enhance the consistency and quality of local authority codes.
  - 2.5.2 local authorities should be given the power to suspend councillors without allowances for up to 6 months, if agreed by the Independent Person that there has been a breach and that suspension is a proportionate sanction.
  - 2.5.3 the current criminal offences relating to Disclosable Pecuniary Interests are disproportionate and should be abolished.
  - 2.5.4 Parish Council's should be required to adopt the Code of Conduct of their principal authority.
- 2.6 The Committee will review the implementation of best practice recommendations for local authorities in 2020.

### **3. Risk management**

- 3.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.
- 3.2 A review of the Councillor Code of Conduct in accordance with the best practice recommendations will identify any necessary amendments to be proposed to the Councillor Conduct Committee to ensure the Code is compliant and therefore minimise the risk of reputational damage arising.

### **4. Financial and legal implications**

- 4.1 There are no financial implications arising from this report.
- 4.2 The Committee on Standards in Public Life will review the implementation by local authorities of the best practice recommendations in 2020. The Council could suffer reputation damage and public lack of confidence if it does not fully comply with recommendations.

### **5. Decisions Required**

- 5.1 The Committee is asked to:
- (i) Note the report, and
  - (j) To authorise the Monitoring Officer to review and propose amendments to the Councillor Code of Conduct and its processes and procedures in order to comply with the best practice recommendations.

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**Background papers**

Members' Code of Conduct

**Appendices**

Appendix 1 – Highlights and Recommendations – Review of the Local Government Ethical Standards (January 2019)