

Councillor Conduct Committee

11 December 2024

Review of Ethical Framework - Update

Report from/Author: Bhupinder Gill, Assistant Director Legal and Governance

Summary

The report provides the Committee with an update on the review of the ethical framework.

1. Recommendation

- 1.1 The Committee is requested to note that the review of the ethical framework is paused whilst the Government undertakes a review of the standards regime for elected Members.

2. Budget and policy framework

- 2.1. The decision is within the Council's policy and budget framework including the Council Plan. The undertaking of the review in due course will support building of confidence in our elected members and the governance systems adopted by the Council.

3. Background

- 3.1. A report was submitted to this Committee back in February 2024 setting out a proposal to undertake a review of the ethical framework, which would include the following sections of the Constitution:

- Members' Code of Conduct
- Protocol on Member/Employee Relations
- Members' Planning Code of Good Practice
- Members' Licensing Code of Good Practice

- 3.2. The Committee:

- 1) noted the review to be undertaken, noting specifically that the review should consider aspects around social media, misogyny and member/employee relations.
- 2) requested political group whips to inform the Monitoring Officer of their nominee(s) for the informal working group.
- 3) requested that the ethical framework be reviewed more regularly in future and that reviews should be no more than four years apart.

- 3.3. An informal working group was subsequently formed and the membership most recently consisted of Councillors Brake, Cook, Crozer, Kemp, Peake and Van Dyke.
- 3.4. Whilst a couple of initial meetings have taken place, it has proven challenging to find time in the meetings diary to undertake the review, therefore, it was agreed in October that the review would take place at this Committee's scheduled meetings instead.
- 3.5. Members are now advised that the Secretary of State for Housing, Communities and Local Government and Deputy Prime Minister, the Rt Hon Angela Rayner MP, has recently announced there will be a review of the standards regime for elected members. In the context of this national review, it would be sensible for Medway to pause on undertaking its own review at this stage. Group Leaders have been advised of this course of action and are supportive. Members will of course be updated on the national review, including reports to this committee, as and when required.

4. Risk management

- 4.1. 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.

Risk	Description	Action to avoid or mitigate risk	Risk Rating
Outdated governance framework that is no longer fit for purpose as a result of both the Government review and the ensuing local review	The Government will be undertaking a review of the standards regime. It will likely deal with a number of issues, for example, changes to technology, particularly social media, which need to be addressed.	<ol style="list-style-type: none"> 1. Await outcome of Government review. 2. Seek Members' input to address aspects of the framework that are no longer relevant/have become relevant. 3. Revise the framework as necessary. 	CIII

For risk rating, please refer to the following table

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

5. Consultation

- 5.1. Members will be consulted through this Committee and also via the cross-party governance group, once we have more details about the Government's plans.

6. Climate change implications

- 6.1. [The Council declared a climate change emergency in April 2019](#) - item 1038D refers, and has set a target for Medway to become carbon neutral by 2050.
- 6.2. There are no direct implications arising from this report.

7. Financial implications

- 7.1. There are no direct financial implications arising from this report.

8. Legal implications

- 8.1. These are contained within the body of the report.

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Appendices

None

Background papers

None