

# Members' Code of Conduct Committee

30 January 2020



<b>Title</b>	Standards in Public Life – Best Practice Recommendations		
<b>Purpose of the report</b>	To make a decision		
<b>Report Author</b>	Michael Graham, Head of Corporate Governance		
<b>Cabinet Member</b>	Not applicable	<b>Confidential</b>	No
<b>Corporate Priority</b>	This item is not in the current list of Corporate priorities but still requires a Cabinet decision		
<b>Recommendations</b>	<ol style="list-style-type: none"><li>1. That the Committee on Standards in Public Life report is noted</li><li>2. Steps are taken to introduce some or all of the best practice recommendations as set out in Appendix 1 to this report</li></ol>		
<b>Reason for Recommendation</b>	To comply with best practice and demonstrate commitment to promote and maintain high standards of conduct by members and co-opted members of the Council		

## 1. Key issues

- 1.1 On the 30th January 2019, The Committee on Standards in Public Life (CSPL) released its report: Local Government Ethical Standards. The CSPL review was across the breadth of local government in England.
- 1.2 The purpose of the review was to assess the effectiveness of the current arrangements in supporting and safeguarding local democracy, maintaining high standards of conduct, and protecting ethical practice in local government, particularly in light of the changes made by the Localism Act 2011. The terms of reference for the review were to examine the structures, processes and practices in local government in England for:
  - Maintaining codes of conduct for local councillors
  - Investigating alleged breaches fairly and with due process
  - Enforcing codes and imposing sanctions for misconduct
  - Declaring interests and managing conflicts of interest
  - Whistleblowing
  - Assessment of the existing structures, processes and practices and if these were conducive to high standards of conduct in local government;
  - Making any recommendations for how they can be improved;

- Noting evidence of intimidation of councillors, and proposing recommendations for measures that could be put in place to prevent and address such intimidation.

1.3 The key recommendations of the report include:

- 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
- Revised rules on declaring interests and gifts and hospitality
- An updated voluntary Model Code of Conduct to be introduced with local authorities to retain ownership of their own Codes of Conduct
- A strengthened role for the Independent Person
- Monitoring Officers provided with adequate training, corporate support and resources and statutory protections to be expanded
- Greater transparency about the number and nature of Code complaints
- Political groups set clear expectations of behaviour by their members and code of conduct training to be mandatory

1.4 A copy of the full CSPL report is a background paper to this report.

1.5 Many of the CSPL recommendations will require primary legislation. 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 can be introduced by the Council straightaway.

1.6 Spelthorne Borough Council (SBC) already has some of the best practice recommendations in place. Attached at Appendix 1 is a table showing the CSPL best practice recommendations, SBC's current arrangements and proposed changes for the Committee's consideration.

## **2. Options analysis and proposal**

### **2.1 To note the report and take steps to introduce some or all of the best practice recommendations**

2.1.1 It is proposed that the Committee agrees to take those steps indicated to introduce the best practice recommendations as set out in Appendix 1 to this report. This will demonstrate continued commitment to promote and maintain high standards of conduct by members and co-opted members of the Council.

2.1.2 Members are asked to provide their views on the suggestions in Best Practice 14. and 15. as to whether the Council should introduce these.

### **2.2 To note the report but not implement any of the best practice recommendations**

2.2.1 This could lead to a loss of confidence in the standards exhibited by councillors and potentially damage the Council's reputation.

## **3. Financial implications**

3.1 There are none.

#### **4. Other considerations**

4.1 None.

#### **5. Timetable for implementation**

5.1 If the Committee wishes to review the Code of Conduct and Arrangements as a result of the Best Practice advice, a further report will be brought to this Committee to consider these documents specifically.

#### **Reference papers:**

Report of the Committee on Standards in Public Life

Local Government Ethical Standards - A Review by the Committee on Standards in Public Life.

<https://www.gov.uk/government/publications/local-government-ethical-standards-report>

#### **Appendices:**

Appendix 1: List of Best Practice, current arrangements and proposals