

Summary Sheet

Standards and Ethics Committee Report

Standards and Ethics Committee Meeting – 17th September 2020

Title : Committee on Standards in Public Life – Review of Local Government Ethical Standards – Update on Implementation of Best Practice Recommendations

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

N/A

Report Author(s)

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Ward(s) Affected

All

Executive Summary

An update as to the Council's implementation of the best practice recommendations made by the Committee on Standards in Public Life in its Review of Local Government Ethical Standards.

Recommendations

That the Committee:

1. Note the implementation of the CSPL best practice recommendations as set out at Appendix 1.
2. Approve the amendment to the Standards and Ethics Committee Complaints Procedure as set out at paragraph 2.6.

List of Appendices

Appendix 1 – List of Best Practice Recommendations and their implementation

Background 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-standardsreport>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Title : Committee on Standards in Public Life – Review of Local Government Ethical Standards – Update on Implementation of Best Practice Recommendations

1. Recommendations

That the Committee:

- 1.1 Note the implementation of the CSPL best practice recommendations as set out at Appendix 1.
- 1.2 Approve the amendment to the Standards and Ethics Committee Complaints Procedure as set out at paragraph 2.6.

2. Background

- 2.1 The Committee on Standards in Public Life (“CSPL”) advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. CSPL is an independent advisory non-departmental public body.
- 2.2 As Members are aware, during 2018 and 2019, the CSPL undertook a review of local government ethical standards. A copy of the full CSPL report is a background paper to this report, has been circulated previously to members of the Committee and is available at <https://www.gov.uk/government/publications/local-governmentethical-standards-report>.
- 2.3 As members will recall the Review included a number of recommendations, along with a list of Best Practice. As stated in the report to this Committee in June 2019, many of the CSPL recommendations will require primary legislation; the implementation of which has been subject to Parliamentary timetabling and has largely as yet not been implemented. Some changes could be made through secondary legislation or amendments to the Local Government Transparency Code.
- 2.4 The review also included a list of best practice. As stated previously many of the best practice recommendations were already in place in the Council, and some required further implementation. The CSPL have stated that they intend to review the implementation of their best practice recommendations in Autumn 2020. As such, the situation in respect of implementation of the Best Practice recommendations by the Council is set out at Appendix 1.
- 2.5 As can be seen at Appendix 1, most of the Best Practice recommendations have been implemented by the Council. Those recommendations in relation to the Code of Conduct are awaiting the finalisation of the LGA model Code of Conduct, a draft of which was brought to the last meeting of the Standards and Ethics Committee meeting, and about which a consultation response was submitted.

2.6 In order to implement Best Practice recommendation 13, a minor amendment to the Standards and Ethics Committee Complaints Procedure is required. The recommendation states “A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.” The Council already has such procedures in place and has utilised Monitoring Officers from different authorities to undertake investigations when necessary. However, to formalise this procedure, a minor amendment to the Standards and Ethics Committee Complaints Procedure is proposed to include the following sentence at paragraph 7 of the Complaints Procedure:

“If both of the Monitoring Officer and the Deputy Monitoring Officer have a conflict of interest in dealing with a complaint, the Council will ask that a Monitoring Officer from another Authority deal with that complaint and undertake the investigation if necessary.”

3. Key Issues

3.1 As set out above the Council has implemented the vast majority of the CSPL Best Practice recommendations and has plans in place for the outstanding recommendations to be implemented as soon as possible.

4. Options considered and recommended proposal

4.1 The relevant recommendations are set out above.

5. Consultation

5.1 N/A

6. Timetable and Accountability for Implementing this Decision

6.1 The CSPL has stated in its report that it will be reviewing the implementation of the best practice recommendations within relevant authorities in Autumn 2020.

7. Financial and Procurement Implications

7.1 None

8. Legal Implications

8.1 The Council and the Standards and Ethics Committee have a statutory duty to maintain and promote ethical standards. The CSPL report sets out best practice as to how the Council should fulfil this statutory duty.

9. Human Resources Implications

9.1 None

10. Implications for Children and Young People and Vulnerable Adults

10.1 None

11. Equalities and Human Rights Implications

11.1 None

12. Implications for Partners and Other Directorates

12.1 None

13. Risks and Mitigation

13.1 None

14. Accountable Officer(s)

Bal Nahal, Head of Legal Services