

Update on Local Government Ethical Standards; A Review by the Committee on Standards in Public Life

Summary

- 1) This report updates Members on the findings of the Committee on Standards in Public Life (“CSPL”) detailed within the Committee’s Report of its most recent review dated January 2019. A copy of this Report is attached to this Report at Appendix 1.
- 2) This report considers matters arising from the CSPL report and asks the Joint Standards Committee to consider whether any amendments are required to the existing ethical framework arrangements operated at City of York Council.

Background

1. The CSPL is an independent advisory Non-Departmental Public Body. Within its first report the Committee defined the Seven Principles of Public Life, commonly known as the Nolan Principles. As the Joint Standards Committee is aware, these principles continue to be relevant and are incorporated into the Council’s Code of Conduct for Members.
2. The Committee monitors and considers issues and concerns relating to standards in public life, including standards in local government. The purpose of the current Review was for the Committee to assure themselves that the current standards framework is conducive to promoting and maintaining the standards expected by the public. The terms of reference for the review can be found in the CSPL Report at page 20 and were to:
 1. Examine the structures, processes and practices in England for:
 - a. Maintaining codes of conduct for local councillors;
 - b. Investigating alleged breaches fairly and with due process;
 - c. Enforcing codes and imposing sanctions for misconduct;
 - d. Declaring interests and managing conflicts of interest;
 - e. Whistleblowing.

2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government.
 3. Make any recommendations for how they can be improved.
 4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.
3. The Committee has made 26 recommendations and also identified 15 areas of best practice to improve ethical standards in local government. These can be found at pages 14 to 19 of the CSPL Report. The recommendations include the suggestion for the Local Government Association (LGA) to create an updated model code of conduct, in order to enhance consistency and the quality of local authority codes. There are also further recommendations regarding declaring and managing interests, investigations, safeguards and sanctions and the use of social media.
 4. The Committee expect that Local Authorities can and should implement the areas of best practice and that they intend to review the implementation of best practice in 2020. A table showing the best practice areas against a commentary of the arrangements currently operating in York is attached to this report at Appendix 2.
 5. The ethical framework at York is comprised of the Members' Code of Conduct, the Procedures for dealing with Councillor Code of Conduct Complaints and the Protocol on Officer/Member Relations, these documents can be found at Appendix 3 of this report. Members are to note that these documents are currently under review either by the Joint Standards Committee, or by way of Review of the Council's Constitution.

Recommendations

6. Members are asked to:
 1. Note the Report of the Committee on Standards in Public Life in relation to local government standards, including the recommendations and areas of best practice for the improvement of ethical standards.
 2. Consider whether any amendments are necessary to the documents attached to this report, in light of the Best Practice and Recommendations highlighted in the Report.

Reason:

To ensure that the Committee is aware of the Review and its outcomes.

Author:

Rachel Antonelli, Senior Solicitor
& Interim Deputy Monitoring Officer

Tel No. 01904 551043

**Report Approved Suzan
Harrington, Interim Assistant
Director of Legal and Governance**

Date 11 November 2019

All

Wards Affected: *List wards or tick box to indicate all*

For further information please contact the author of the report

Annexes

Appendix 1 – Committee on Standards in Public Life Report dated January 2019.

Appendix 2 – Table of Best Practice Areas.

Appendix 3 – City of York Council’s Members’ Code of Conduct, Procedures for dealing with Councillor Code of Conduct Complaints and Protocol on Officer/Member Relations