
REPORT BY THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

Contact Officer: Paul Cummins, Acting Monitoring Officer, Tel: 01908 254195
Director (Law and Governance)

1. Purpose

- 1.1 This report introduces the Review of Local Government Ethical Standards carried out by the Committee on Standards in Public Life.

2. Recommendations

- 2.1 That the report be noted.

3. Background and Report Highlights

- 3.1 The Committee on Standards in Public life (CSPL) is an independent advisory body funded by the Cabinet Office. Its main role is to advise the Prime Minister on ethical standards in public life. It carries out its role by conducting inquiries and making recommendations.
- 3.2 On 30 January 2019 it published its report into the review of ethical standards in public life. A full copy of the report can be accessed at the following link
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF
- 3.3 The Standards Committee at its meeting on 13 March 2018 discussed a consultation response to CPSL. A response was draft and subsequently sent to the CPSL. A copy of the Council's consultation response dated is attached at Annex A.
- 3.4 Members will be interested in reading the whole report but in terms of highlighting sections the Executive summary at pages 10 to 13 and the recommendations from page 14 to 17 are a good starting point and are highlighted for discussion. These two sections are annexed to this report at Annex B.
- 3.5 The Executive Summary gives a rationale for arriving at the recommendations. The really key area is the last section in the Executive Summary about Leadership and Culture. This aspect has also been highlighted in the conference presentations and social media releases by CPSL. It is the culture (or 'tone set') in an organisation that is key to an

ethical behaviour – the standards rules are there to try and maintain that and ethical culture as oppose to being able to create it.

3.6 Set out below are a snapshot of some of the key recommendations

Recommendation 7 – Section 31 of the localism Act should be repealed and replaced with a requirement that a councillor must not participate in a discussion or vote in a matter if they any interest, whether registered or not, “if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision-making in relation to that matter”

Recommendation 12 – Discretionary power to establish a decision-making Standards committee with voting Independent Members and Voting Members from Dependent Parishes, to decide on allegations and impose sanctions.

Recommendation 14 – The Local government Ombudsman should be given the power to investigate and decide upon an allegation of a code of Conduct breach by a Councillor, and the appropriate sanction, on appeal by a Councillor who has had a sanction imposed. The Ombudsman’s decision should be binding on the local authority.

Recommendation 16 – Local authorities should be given the power to suspend councillors, without allowances, for up to six months.

Recommendation 17 – The Government should clarify if councils may lawfully bar Councillors from council premises or withdraw facilities as sanctions. These powers should be put beyond doubt in legislation if necessary.

Recommendation 18 – the criminal offences in the localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished.

Recommendation 21 – Section 28(11) of the Localism Act 2011 should be amended to state that any sanction imposed on a parish councillor following the finding of a breach is to be determined by the relevant principal authority.

4. Implications

4.1 As set out in section 3.1 CSPL is an advisory body and so the Government need not adopt all or indeed any of the recommendations (Please note some of the recommendations are also for the Local Government Association, local authorities and national political parties).

4.2 Some of the recommendations will need changes to legislation.

Background Papers: Report of the Committee on Standards in Public Life ‘Local Government Ethical Standards’ January 2019

Annex A Council’s Consultation Response

Annex B Executive Summary