

Report to	-	Audit and Standards Committee
Date	-	10 December 2018
Report of the	-	Monitoring Officer
Subject	-	The Committee on Standards in Public Life's Review of Local Government Ethical Standards

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**Recommendation:** It be **RESOLVED:** That

- 1) the delay to the results of the Committee on Standards in Public Life's Review of Local Government Ethical Standards be noted; and
  - 2) the outcome of the Review be received by the Committee in June 2019.
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**Monitoring Officer: Lisa Cooper**

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### **Introduction**

1. As Members may recall, earlier this year in May, this Committee responded to the Committee on Standards in Public Life's (CSPL) Review of Local Government Ethical Standards. The independent CSPL advises the Prime Minister on ethical standards across the whole of public life in the UK. It monitors and reports on issues relating to the standards of conduct of all public office holders.
2. The terms of reference for the review were to:
  - a) 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; and
    - whistleblowing;
  - b) assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
  - c) make any recommendations for how they can be improved; and
  - d) 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. At that time, it was anticipated that the outcome of the review would be published by this December; however this has now been delayed until January 2019.

## **Emerging Themes**

4. In July of this year at a Standards Conference for Monitoring Officers in London, representatives from the CSPL gave some initial feedback on the emerging themes arising from the consultation. These included the lack of meaningful sanctions and the declaration of interests' regime being unclear and confusing for users.
5. However, the CSPL are very much aware that a balance needs to be struck between rigid standardisation (as under the previous Standards Board regime) and the flexibility and freedoms that the current system provides for local authorities. Whilst standardisation gives consistency across the country and clarity for Councillors, Monitoring Officers and complainants it takes away the flexibility currently enjoyed. With regard to sanctions, should more stringent sanctions be re-introduced, this would require a more robust process to ensure fairness of approach and protect participants.
6. The outcome of the review and resulting recommendations will be presented to the Prime Minister and Parliament in January 2019, however it is noted that the CSPL is unable to "force" the Government to make any recommended changes. The CSPL has no executive or regulatory powers and can only rely on influence and persuasion to have any recommendations acted upon. Past experience has shown however, that the Government does take heed of recommendations in relation to ethics and standards and are usually quick to respond.

## **Conclusion**

7. The outcome of the CSPL's review has been delayed and is expected in January 2019. The results will be presented to the June meeting of the Standards Committee; this will give officers some time to digest the recommendations and make any appropriate recommendations for changes locally. Clearly if there are to be changes to legislation that will affect the standards regime, a report will be brought to the March meeting of this Committee.

Mrs Lisa Cooper  
Monitoring Officer

## **Risk Assessment Statement**

There are no risks arising from this report.