

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: STANDARDS COMMITTEE

Date: 1 AUGUST 2019

Reporting officer: PERRY HOLMES, MONITORING OFFICER

Subject: UPDATE ON A REVIEW OF LOCAL GOVERNMENT
ETHICAL STANDARDS

Purpose and summary of report:

This report provides an overview of the key outcomes of the report published in January 2019 by the Committee on Standards in Public Life on the subject of ethical standards in local government.

Recommendations:

1. The Committee is asked to:
 - (i) Note the report, and
 - (ii) To authorise the Monitoring Officer to review and propose amendments to the Councillor Code of Conduct and its processes and procedures in order to comply with the best practice recommendations.

1. Budget and Policy Framework

- 1.1 The Standards Committee is responsible for promoting and maintaining high standards of conduct by Councillors and voting co-optees serving on the Council Committees. The Committee has the power to advise, train or arrange training for Councillors and co-optees on matters relating to the Members' Code of Conduct.

2. Background

- 2.1 The Committee on Standards in Public Life published its' 20th report in January 2019 on the subject of ethical standards in local government. The purpose of this report and the Highlights and Recommendations Report in Appendix 1 attached hereto is to provide the Standards Committee with a summary of the highlights of the report, the recommendations made to be actioned by central government and best practice recommendations to be actioned by local authorities.

- 2.2 Officers will report back to the Standards Committee in late 2019 on

- proposed actions, along with a review of the Council's processes and procedures.
- 2.3 The Committee found that the vast majority of councillors and officers want to maintain the highest standards of conduct however a minority of councillors engage in bullying or harassment, or other highly disruptive behaviour. The Committee also found that a small number of parish councils give rise to a disproportionate number of complaints about poor behaviour.
- 2.4 The Committee raises concerns about a risk to standards under the current arrangements, as a result of the current rules around declaring interests, gifts and hospitality, and the increased complexity of local government decision-making. Whilst the consistency and independence of the system could be enhanced, there is no reason to reintroduce a centralised body, and local authorities should retain ultimate responsibility for implementing and applying the Seven Principles of Public Life in local government.
- 2.5 The Committee have made a number of recommendations and identified best practice to improve ethical standards in local government, these recommendations are made to government and to local authorities. In summary it is recommended that:
- 2.5.1 an updated model code of conduct should be available to local authorities to enhance the consistency and quality of local authority codes.
- 2.5.2 local authorities should be given the power to suspend councillors without allowances for up to 6 months, if agreed by the Independent Person that there has been a breach and that suspension is a proportionate sanction.
- 2.5.3 the current criminal offences relating to Disclosable Pecuniary Interests are disproportionate and should be abolished.
- 2.5.4 Parish Council's should be required to adopt the Code of Conduct of their principal authority.
- 2.6 The Committee will review the implementation of best practice recommendations for local authorities in 2020.

3. BACKGROUND PAPERS

- 3.1 Code of Conduct contained within the Constitution and the attached Appendix 2 – Highlights and Recommendations – Review of the Local Government Ethical Standards (January 2019).

Anyone wishing to inspect background papers should, in the first place, be directed to Committee & Electoral Services who will make the necessary arrangements.

IMPLICATIONS	APPENDIX 1
Legal	The Committee on Standards in Public Life will review the implementation by local authorities of the best practice recommendations in 2020. The Council could suffer reputational damage and public lack of confidence if it does not fully comply with recommendations.
Finance and Value for Money	There are no financial implications arising from this report.
Risk Assessment	<p>Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.</p> <p>A review of the Code of Conduct in accordance with the best practice recommendations will identify any necessary amendments to be proposed to the Standards Committee to ensure the Code is compliant and therefore minimise the risk of reputational damage arising.</p>
Data Protection Impact Assessment	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	<p>a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? A definition of each type of data can be found on the Information Commissioner's Office website via the above links.</p>
	<p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A</p>
	<p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk. N/A</p>
Equality Impact Assessment	<p>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. No</p>
	<p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. No</p>
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>
Corporate Plan	N/A
Crime and Disorder	N/A

Digital and website implications	N/A
Safeguarding children and vulnerable adults	N/A