

Standards Committee	
26 July 2019	Part I
Standards Best Practice	
Report by Director of Law and Assurance	

Executive Summary

At its last meeting, the Committee asked the Director of Law and Assurance to investigate ways to implement two areas of best practice as defined by the Committee for Standards in Public Life. The Director proposes ways to implement the two areas in the report.

Recommendations

- (1) That the amended wording to the Code of Conduct form in the Appendix be agreed for use after future by-elections and elections.
- (2) That the Director of Law and Assurance be asked to list separate bodies within future Annual Governance Statements, together with confirmation that they abide by the Nolan principles set out in paragraph 2.3 below.

Proposal

1. Background and Context

- 1.1 Local authority members act as community champions and leaders, who, by the use of locally raised taxes and other public funds, take decisions that affect the lives of local people. The electorate expect high standards from local authority members because of these crucial roles.
- 1.2 The Committee for Standards in Public Life announced in January 2018 that it was to undertake a review of Local Government Ethical Standards. The County Council submitted a response to the call for evidence, which was approved by the Standards Committee on 12 March 2018.
- 1.3 The Localism Act 2011 made significant changes to the Standards regime in Local Government. It abolished the national Standards Board, abolished the national code of conduct and instead gave local authorities a duty to adopt a code of its own choosing. A compulsory element was introduced through legislation that defined a certain range of pecuniary interests and making a failure to disclose these within 28 days a criminal offence.
- 1.4 Following the flexibilities introduced by the Localism Act 2011, the County Council has maintained a comprehensive Code of Conduct with the aim to uphold the highest standards of conduct.

- 1.5 At its meeting in March 2019, the Committee considered the report issued by the Committee for Standards in Public Life and noted that the report included a list of 15 areas of recommended best practice that councils can already adopt within existing powers.
- 1.6 The Committee noted that it was already compliant with most of the recommended best practice that was applicable to county councils, but identified two gaps in the County Council's standards regime that it asked the Director of Law and Assurance to seek to address.

2. Proposal

- 2.1 The Committee is asked to consider making two changes to the Standards regime to comply with the best practice.
- 2.2 The first is to add an explicit sentence to the Code of Conduct form to make it clear that the member submitting the form is also signing up to the Code of Conduct. This had previously been part of the 'Declaration of Acceptance of Office' form but had been removed following the implementation of the Localism Act. The proposed amended form is attached at the Appendix.
- 2.3 The second is to include a specific statement in the County Council's Annual Governance Statement about separate bodies which the County Council owns and has set up, including confirmation that they are abiding by the Nolan principles of openness and publish their board agendas, minutes and annual reports in an accessible place. It is proposed to list the bodies and make this statement to confirm they abide by these principles.

3. Resources

- 3.1 There are no resource implications.

Factors taken into account

4. Consultation

- 4.1 No consultation has been undertaken as the Committee for Standards in Public Life undertook a significant consultation on the matter.

5. Risk Implications and Mitigations

Risk	Mitigating Action (in place or planned)
That members do not abide by the Code of Conduct and that Council business is affected and/or reputational damage is suffered as a result.	An explicit acceptance that they will abide by the Code of Conduct will help to ensure that members are aware of their obligations and will make it easier for the Standards Committee to enforce its provisions.

6. Other Options Considered

6.1 Doing nothing is an option, but the Committee indicated that it is keen to meet all recommended best practice when appropriate.

7. Equality Duty

7.1 A strong Code of Conduct and a commitment to high standards helps to ensure that equality duties are respected by both members and officers.

8. Social Value

8.1 Not applicable.

9. Crime and Disorder Act Implications

9.1 Not applicable.

10. Human Rights Implications

10.1 Not applicable.

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Background Papers: None.