

**UPDATE FOLLOWING PUBLICATION OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE'S REPORT ON LOCAL GOVERNMENT ETHICAL STANDARDS IN JANUARY 2019**

*To:* **Constitution and Ethics Committee**

*Meeting Date:* **4th April 2019**

*From:* **Director of Governance and Legal Services and Monitoring Officer**

*Electoral division(s):* **All**

*Purpose:* **To brief the Constitution and Ethics Committee on the recommendations within the published report and to consider what if any further action is required.**

*Recommendation:* **It is recommended that the Constitution and Ethics Committee:**

- 1. Note the recommendations contained within the Committee on Standards in Public Life ("CSPL") report on Local Government Ethical Standards; and**
- 2. Request the Monitoring Officer to revise the Members' Code of Conduct, Constitution and Guidance as necessary to bring in to effect the required changes when appropriate; and**
- 3. Determine the time at which those amendments should be made and returned for recommendation to Full Council for approval as required.**

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## 1. INTRODUCTION

- 1.1. The purpose of this report is to update the Committee following publication of the CSPL report and to obtain the views of members on the recommendations for the purpose of facilitating the initiation of any necessary revisions to the Constitution, Members' Code of Conduct and accompanying procedural and guidance documents.

## 2. BACKGROUND AND KEY ISSUES

- 2.1 The Committee on Standards in Public Life wrote to the Prime Minister in January 2018 to inform the Government that the Committee was to undertake a review of local government standards.
- 2.2 As part of this review, the Committee held a public stakeholder consultation and has looked at the conduct and culture in local government, both at principal authority level and in town and parish councils. The consultation closed on Friday 18 May 2018 and the Committee's report was published on 31st January 2019 (link provided below).
- 2.3 The CSPL report findings indicate that the majority of councillors and officers maintain high standards of conduct and that the arrangements for local management of these matters should continue but need to be supported by robust safeguards and adequate resource. Nevertheless, it was identified that there is clear evidence of misconduct by some and mostly manifests in bullying, harassment or other disruptive behaviour. Furthermore, observations have been made about the suitability of the current rules governing declaring interests, gifts and hospitality and the availability of appropriate sanctions when breaches have occurred.
- 2.4 In recognition its findings, the CSPL has identified various points of best practice and made specific recommendations for improvement. **Appendix 1** sets out each of the key recommendations and identifies the areas where changes are most likely to be required in the context of Cambridgeshire County Council's existing arrangements. Where immediate changes can be considered these have been highlighted in italics.
- 2.5 It is recognised that many of the recommendations will require primary legislation to change parts of the Localism Act 2011 and will therefore be subject to parliamentary timetabling. Nevertheless, it is open to Councils to adopt the many best practice points with immediate effect and the CSPL has indicated their intention to review implementation in 2020.

## 3. CONSULTATION

- 3.1 The CSPL held a public stakeholder consultation as part of its overall review and in reaching the conclusion outlined in its Report.
- 3.2 It is recommended that any proposed changes to the existing arrangements at Cambridgeshire County Council are reviewed by the Constitution and Ethics

Committee who will also be invited to consider what further member engagement may be required ahead of any recommendations being made to implement them (e.g. via Group Leaders).

#### **4 ANTICIPATED OUTCOMES OR IMPACT**

- 4.1 It is anticipated that the Constitution and Ethics Committee will note the CSPL report and the extent to which it may impact upon the existing arrangements as and when the recommendations are brought into force via primary legislation. In the meantime however it is anticipated that the Constitution and Ethics Committee will recommend that the Monitoring Officer makes any necessary revisions to implement suggested best practice where appropriate.

#### **5 REASON FOR THE RECOMMENDATION**

- 5.1 The recommendations to the Constitution and Ethics Committee are designed to enable discussion of the CSPL report and to give effect to any changes required to ensure that the existing arrangements relating to member conduct remain up-to-date and reflect nationally recognised best practice.

#### **6 ALTERNATIVE OPTIONS CONSIDERED**

- 6.1 Whilst some of the recommendations within the CSPL Report will require changes to primary legislation before they can be implemented, there are some suggestions as to best practice which can be adopted with immediate effect following appropriate member engagement. The alternative is to continue with the existing arrangements until such time that a wholesale review can take place rather than implementing changes on a piecemeal basis.

<b>Source Documents</b>	<b>Location</b>
Committee on Standards in Public Life Local Government Ethical Standards Review Report published on 30th January 2019.	<a href="https://www.gov.uk/government/publications/local-government-ethical-standards-report">https://www.gov.uk/government/publications/local-government-ethical-standards-report</a>
How to complain documentation	<a href="https://www.cambridgeshire.gov.uk/council/contact-us/complain-about-a-councillor-or-co-opted-member/">https://www.cambridgeshire.gov.uk/council/contact-us/complain-about-a-councillor-or-co-opted-member/</a>
Summary of recommendations and best practice requirements.	Appendix 1 to this Report