

Committee on Standards in Public Life – Leading in Practice

Purpose

- 1.1 The Standards Committee holds an overarching remit to uphold high standards of ethical conduct amongst councillors and to monitor the effectiveness of the Councillors' Code of Conduct and the Councillor Complaints Procedure.
- 1.2 In January 2023, the Committee on Standards in Public Life published a report on the role of leadership in embedding an ethical culture in public sector organisations, entitled [Leading in Practice](#). The report is presented to the Standards Committee for discussion and to inform the future work of the committee in managing and maintaining the various codes and protocols relating to councillor conduct.
- 1.4 Also appended to the report is a recent case study highlighted by the Local Government and Social Care Ombudsman relating to the way a local authority handled an investigation into a councillor's alleged behaviour. The Standards Committee is encouraged to consider the case study in the context of the Council's own complaints procedures.

Recommendations

- 2.1 To note the contents of the report of the Committee on Standards in Public Life and the findings of the Local Government and Social Care Ombudsman.
- 2.2 To consider and discuss any further actions as necessary for inclusion on the Standards Committee Forward Plan for 2023-24.

Reason

- 3.1 To ensure the Standards Committee remains informed of sector-led best practice and other relevant information relating its role and remit.

Supporting information

- 4.1 The independent Committee on Standards in Public Life advises the Prime Minister on arrangements for upholding ethical standards of conduct across all aspects of public life in England. In 2021, the Committee made a series of recommendations specifically in relation to maintaining ethical standards in local government.

- 4.2 In its most recent report, [Leading in Practice](#), the Committee has compiled a series of case studies gathered from across public and private sector organisations on maintaining ethical organisational practices.
- 4.3 In an open letter written to public sector leaders, the Chair of the Committee, Lord Evans of Weardale, encourages senior leaders to focus on organisational culture and embedding policies and practices that are consistent with the Principles of Public Life. The report poses 20 questions for senior leaders to ask themselves about embedding a values-driven culture within their organisations.
- 4.4 The content of the report has considerable overlap with the remit of the Audit and Governance Committee. It is referred to the Standards Committee for the purposes of considering the extent to which the role and conduct of elected members supports a robust ethical culture within the Council.
- 4.5 Attached at Appendix 2 is a case study of a recent investigation conducted by the Local Government and Social Care Ombudsman for England (LGO) in relation to a local authority's handling of a complaint against a councillor. The LGO have encouraged Monitoring Officers, those officers who deal with complaints and councillors who sit on Standards Committees to consider the findings of their report. The full report is [available to view on the LGO's website](#).
- 4.6 In the case study, the LGO found fault with several aspects of the Council's investigation into the alleged behaviour of a councillor. These faults included:
- The investigation not being prompted by a written complaint;
 - Failure to provide the subject-member with enough information about their alleged breaches of the Code of Conduct;
 - The introduction of new allegations during the complaints process;
 - The conflation of accusations levelled at another councillor who was under investigation simultaneously;
 - Failure to reflect on legitimate concerns raised by the elected member about the manner in which the investigation was being carried out;
 - Failure to consider the councillor's enhanced right to free speech as an elected representative, in the context of comments they had made on social media.
- 4.7 The findings are presented to the Standards Committee for consideration alongside the Council's existing Councillor Complaints Procedure (Appendix 3).

Public/stakeholder engagement

- 5.1 None – the Standards Committee

Other options

- 6.1 To do nothing.

Financial and value for money issues

7.1 None directly arising.

Legal implications

8.1 The Council has a duty under Section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members of the authority. Under Section 28 of the Act, the Council must also adopt a Code of Conduct that is consistent with the seven 'Nolan Principles' of public life and put in place arrangements for complaints to be investigated.

Climate implications

9.1 None directly arising.

Socio-Economic implications

10.1 None directly arising.

Other significant implications

11.1 Failure to maintain high standards of ethical conduct will undermine the public's confidence in the Council as a democratic institution.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)		
Report sponsor	Emily Feenan, Director of Corporate Governance, Property and Procurement (Monitoring Officer)	28/07/2023
Other(s)	Steven Mason, Democratic Services Officer	28/07/2023

Background papers:	None
List of appendices:	Appendix 1 – Leading in Practice – a review by the Committee on Standards in Public Life Appendix 2 – Report of the Local Government and Social Care Ombudsman Appendix 3 – Procedure for consideration of complaints against councillors