

## STANDARDS COMMITTEE

CHAIRMAN: Cllr Rosalind Prowse

**DATE:** 27 February 2019

**REPORT OF:** Solicitor to the Council and Monitoring Officer

**SUBJECT:** Report into the Review of Standards in Public Life

### RECOMMENDATION

*The Standards Committee is asked to consider and discuss the report of the Committee on Standards in Public Life and pending any changes in legislation, consider whether it wishes to implement any of the best practice recommendations.*

#### 1 PURPOSE

1.1 Please see words in italics under the above heading 'Recommendation'.

#### 2 BACKGROUND

2.1 Towards the end of last month, the national Committee on Standards in Public Life published its report into its review of the standards regime in local government ("**the Report**"). An Executive Summary of the Report is included as Appendix A. Key chapters within the 100 plus paged document have also been annexed to this report (see Appendix B). These chapters cover matters affecting (i) codes of conduct (ii) investigations (iii) sanctions for breaches of the code and (iv) leadership and culture within local authorities relevant to standards. The full report is available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/777315/6.4896\\_CO\\_CSPL\\_Command\\_Paper\\_on\\_Local\\_Government\\_Standards\\_v4\\_WEB.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF)

2.2 The Report includes various recommendations to central government which will necessitate a change in the legislation set out in the Localism Act 2011 (the statute which sets out the statutory framework upon which the Council's Members' Code of Conduct is based). These recommendations are set out in Appendix C.

2.3 Other recommendations include best practice, all of which can be applied without changes to the law. These are included in Appendix D. The Council could adopt them immediately. Recommendations 4, 7, and 8 have to date already been applied by the Council, others have not been relevant due to the

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nature of complaints received (i.e. recommendation 13) and the remainder could be applied. If the committee considers a review of the Code and complaints procedure (to which the subsequent agenda item refers) appropriate, any views expressed on the good practice recommendations should be taken into account as part of the review.

### 3 CONCLUSION

- 3.1 It is worth noting the Report acknowledges that the vast majority of councillors maintain high standards of conduct (as is the position with the Council), but inevitably there are occasions when the standards of a few councillors fall short of the high standards expected.
- 3.2 The Report promotes the retention of a system whereby local authorities themselves retain responsibility for their standards but does advocate further guidance from central government (through the introduction of a model code of conduct which local authorities might adopt) and a higher level of sanctions (in particular the reintroduction of a power to suspend councillors for up to six months). Pending changes to the law, it is recommended that the Standards Committee set out its views on the changes proposed, but only determines whether to adopt all parts of the best practice guidance following a review of the Code of Conduct and standards complaints procedure.

**Officer Name: Karen Trickey**

**Officer Designation: Solicitor to the Council and Monitoring Officer**

**The box below to be completed by the report author.**

<b>Wards affected</b>	All
<b>Contact for any more information</b>	<a href="mailto:karen.trickey@teignbridge.gov.uk">karen.trickey@teignbridge.gov.uk</a>
<b>Key Decision</b>	N
<b>In Forward Plan</b>	N
<b>In O&amp;S Work Programme</b>	N
<b>Appendices attached:</b>	Extracts from the Review by the Committee on Standards in Public Life – January 2019 A - Executive Summary B - Findings on Codes of Practice & Interests; Investigations & Safeguards; Sanctions; Leadership & Culture C - List of Recommendations where law to change D - Best Practice recommendations within existing law