

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
MONITORING OFFICER	AUDIT AND STANDARDS COMMITTEE	25 APRIL 2019	5
LOCAL GOVERNMENT ETHICAL STANDARDS REVIEW			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The Committee on Standards in Public Life has now published its report on local government ethical standards following a year-long review and wide consultation (to which this Council's Audit and Standards Committee participated).

RECOMMENDATION

It is recommended that the Monitoring Officer, in consultation with the Chairman and Vice-Chairman of the Audit and Standards Committee, reviews the best practice recommendations with a view to a report being brought back before the Audit and Standards Committee for its consideration.

SUMMARY OF PREVIOUS DECISIONS

None.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

- The Committee on Standards in Public Life has now published its report on local government ethical standards following a year-long review and wide consultation (to which this Council's Audit and Standards Committee participated).
- The year-long review of ethical standards in the sector, led by former local government ombudsman Jane Martin, is the first since the introduction of the Localism Act 2011 and the abolition of the Standards Board for England in 2012, and in particular (as echoed in this Council's own feedback), the committee found that the current sanctions available to local authorities were insufficient.

3. The review has supported the view that the vast majority of councillors and officers maintain high standards of conduct. In cases where this is not the case, cases relate to some councillors bullying or harassing others, or demonstrating other disruptive behaviour. There is also some evidence of repeated persistent behaviour by a minority of councillors.
4. It has also been considered whether to reintroduce a central body to govern and adjudicate on standards but it has been decided to recommend that councils should continue to retain the ultimate responsibility for standards matters.
5. As a result of the review a number of recommendations have been made to government which will necessitate changes to primary legislation, and subject to Parliamentary timetabling. Some of the key recommendations are set out below:
 - A new power for local authorities to suspend councillors without allowances for up to six months for the most serious breaches of conduct, most likely relating to bullying, harassment and failures to declare financial interests
 - Revised rules for declaring interests, gifts and hospitality
 - Principal authorities to retain ownership of their own Codes of Conduct with an updated voluntary code produced for councils to consider
 - A right of appeal to suspend councillors to the Local Government Ombudsman
 - A strengthened role for the Independent Person
 - Greater transparency about the number and nature of Code complaints
6. It is also recommended that the current criminal offences relating to Disclosable Pecuniary Interests should be abolished, as they are disproportionate in principle and ineffective in practice.
7. The committee also made fifteen best practice recommendations for councils to consider in the more immediate future and it is expected that local councils can and should implement them. The Committee on Standards in Public Life intends to review council's responses to this during 2020. A copy of the best practice recommendations are attached as an appendix.
8. In view of this it is recommended that the Monitoring Officer, in consultation with the Chairman and Vice-Chairman of the Audit and Standards Committee, reviews the best practice recommendations with a view to a report being brought back before the Audit and Standards Committee for its consideration.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	Many of the recommendations in the review will need primary or secondary legislation to become effective. However, the review also contains a number of good practice recommendations which can be adopted immediately by authorities.
Community Safety	None arising directly from this report
Human Rights and Equalities	None arising directly from this report
Sustainability and Environmental Impact	None arising directly from this report
Health & Safety and Risk Management	None arising directly from this report

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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Local Government Ethical Standards	2019	https://www.gov.uk/government/collections/local-government-ethical-standards

Attached Documents

Appendix 1 - Best Practice Recommendations