



STANDARDS COMMITTEE

16 March 2021

Report of: Legal and Democratic Services Manager

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SUBJECT: NATIONAL REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS

Wards affected: Borough wide.

1.0 PURPOSE OF THE REPORT

1.1 To receive an update on actions taken in consideration of the best practice recommendations of the Committee on Standards in Public Life following its national review of Local Government Ethical Standards.

2.0 RECOMMENDATIONS

2.1 That the update be noted.

3.0 BACKGROUND

3.1 On 30 January 2019, the Committee on Standards in Public Life published its national report on local government ethical standards:

<https://www.gov.uk/government/publications/local-government-ethical-standards-report>

3.2 The Committee's report provides assurance that the ethical standards arrangements within local government are working well and are promoting and maintaining the standards expected by the public. The Committee reported that they are satisfied that the majority of local councillors maintain the highest ethical standards. However, the report recommended to Government that ethical standards could be further strengthened by the introduction of greater sanctions, where appropriate, in the rare cases of significant or repeated breaches of the code of conduct. The report also recommended introducing a right of appeal to the Local Government and Social Care Ombudsman for councillors given the toughest sanctions. The Government's formal response to the report is awaited

and a number of the recommendations will require a change to current legislation if they are to be enacted.

- 3.4 As well as making recommendations to Government, the Committee identified 15 best practice recommendations, listed at pages 58 and 59 of the report, for all local authorities to consider in order to help them maintain the highest ethical standards.

4.0 BEST PRACTICE RECOMMENDATIONS

- 4.1 Standards Committee, at its meetings held in March and September 2019 and September 2020, carefully considered the best practice recommendations and noted that, in relation to 11 of the 15 best practice recommendations, no further action was necessary as the Council is already achieving the recommended best practice.
- 4.2 In relation to the remaining 4 best practice recommendations, the Committee noted that 3 of those recommendations related to the Committee on Standards in Public Life's main report recommendation that the LGA create an updated model code of conduct that Councils could consider. Accordingly, Standards Committee agreed that any necessary amendments to the current code be considered once the final model code had been published. The model code was published in December 2020 and is the subject of a separate report elsewhere on this agenda.
- 4.3 With regard to the final best practice recommendation (formal standards complaints about the conduct of a parish councillor towards a clerk should ordinarily be made by the chair or by the council as a whole) Standards Committee, at its meeting on 15 September 2020, resolved that the parishes should be consulted with regard to the best practice recommendation and their views sought. Accordingly, a consultation letter was sent to all 21 parishes within West Lancashire. Newburgh Parish Council was the only parish to respond to the consultation. Their response was that they agreed with the recommendation that formal standards complaints about the conduct of a parish councillor towards a clerk should ordinarily be made by the chair or by the council as a whole, rather than the clerk themselves.
- 4.4 Given that a report elsewhere on this agenda recommends a consultation exercise on possible revisions to the existing WLBC/parish code of conduct, it is proposed that the issue as to whether formal standards complaints about parish councillors should be accepted from parish clerks should form part of that wider consultation exercise. It is hoped that this additional consultation may elicit further responses from the sector, and from a wider cross section of stakeholders, in order that Standards Committee may take an informed decision on this issue.

5.0 SUSTAINABILITY IMPLICATIONS

5.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 There are no significant financial or resource implications arising from this report.

7.0 RISK ASSESSMENT

7.1 This item does not require a formal risk assessment and no changes have been made to risk registers as a result of this report.

8.0 HEALTH AND WELLBEING IMPLICATIONS

8.1 Ensuring high standards of member conduct supports health (in particular mental health) and wellbeing within West Lancashire. This report provides an update on actions taken in consideration of the best practice recommendations of the Committee on Standards in Public Life following its national review of Local Government Ethical Standards to help to ensure high standards are maintained.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and/or stakeholder. Therefore no Equality Impact Assessment is required.