

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

GOVERNANCE, ETHICS AND STANDARDS COMMITTEE

14 July 2022

Report of the Director of Legal and Democratic Services and Monitoring Officer

REPORT OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE ON LOCAL GOVERNMENT ETHICAL STANDARDS

1. Purpose

- 1.1 To provide an update to the Governance, Ethics and Standards Committee on the government's response to the Report of the Committee on Standards in Public Life on Local Government ethical standards and the actions taken by the Council to implement the best practice recommendations set out in the Report.

2. Information and Analysis

- 2.1 During 2019, the Committee on Standards in Public Life ("CSPL") carried out a review of the effectiveness of the current arrangements for standards in local government, particularly in light of the changes made by the Localism Act 2011. The terms of reference for the review were to:
- a) Examine the structures, processes and practices in local government in England for:
 - i. Maintaining codes of conduct for local councillors
 - ii. Investigating alleged breaches fairly and with due process
 - iii. Enforcing codes and imposing sanctions for misconduct
 - iv. Declaring interests and managing conflicts of interest

v. Whistleblowing

- b) Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
 - c) Make any recommendations for how they can be improved
 - d) Note any evidence of intimidation of councillors, and make recommendation for any measures that could be put in place to prevent and address such intimidation.
- 2.2 The CSPL issued its report in January 2019, a copy of which is available on the [internet](#). It included a number of recommendations requiring legislative change which would need to be implemented by the government and 'best practice' recommendations which the CSPL expects councils to implement. The CSPL reviewed the implementation of the best practice recommendations in 2020 and wrote to local authorities requesting an update.
- 2.3 A report was presented to the Governance, Ethics and Standards Committee on 19 January 2021 outlining the steps the Council had taken to implement the 'best practice' recommendations and providing a copy of the Council's response to the CSPL. Since then significant progress has been made and the majority of the recommendations have now been implemented. The 'best practice' recommendations, together with a summary of progress is contained in Appendix 2 for the Committee to note.
- 2.4 The current position is that the majority of the recommendations have been implemented with a significant number addressed by the Committee when reviewing the Code of Conduct, procedure for dealing with complaints and the role of the Independent Person. Recommendations 5 and 15 are in progress. The Committee agreed in January 2019 that the register of gifts and hospitality should be published on the Council's website (recommendation 5) and this has been partially implemented. Following the 2021 County elections, work was carried out to ensure that each councillor's register of interests (including gifts and hospitality) was published on the Council's website using the functionality in committee administration system (modern.gov). All registers are updated regularly as and when the Monitoring Officer is notified of changes; however a process will be put in place to ensure councillors are reminded on a quarterly basis to keep their Register of Interests, including gifts and hospitality, up to date via the Councillor Briefing emails. Further work will also take place to ensure the gifts and hospitality register is published as a separate document on a quarterly basis. In addition, regular meetings need to be established between senior officers and political group leaders or group whips to specifically discuss standards issues (recommendation 15).

2.5 The government's response to the report was published on 18 March 2022 and is available on the [internet](#). It is noted that the government has no immediate plans to amend the provisions of the Localism Act 2011 or Regulations in order to address the recommendations.

3. Consultation

3.1 Consultation is not required.

4. Alternative Options Considered

4.1 Not to provide an update to the Committee; however this will not ensure the committee is aware of the activity undertaken by the council to implement the CSPL recommendations.

5. Implications

5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

6. Background Papers

6.1 Report to the Governance, Ethics and Standards Committee on 19 January 2021.

7. Appendices

7.1 Appendix 1 - Implications.

7.2 Appendix 2 – Progress update on the Council's implementation of the CSPL best practice recommendations.

8. Recommendation(s)

That Committee notes the government's response to the Report of the Committee on Standards in Public Life on Local Government ethical standards and the actions taken by the Council to implement the best practice recommendations set out in the Report.

9. Reasons for Recommendation(s)

9.1 To ensure the Governance, Ethics and Standards Committee is informed of progress on the Council's implementation of the CSPL best practice recommendations.

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Implications

Financial

1.1 None directly arising.

Legal

2.1 The Council is not under a legal obligation to implement the CSPL 'best practice' recommendations however the CSPL does expect councils to do so.

Human Resources

3.1 None directly arising.

Information Technology

4.1 None directly arising.

Equalities Impact

5.1 None directly arising.

Corporate objectives and priorities for change

6.1 None directly arising.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None directly arising.