

**2 May 2018****Agenda Item: 4****REPORT OF THE MONITORING OFFICER****COMMITTEE ON STANDARDS IN PUBLIC LIFE – CALL FOR EVIDENCE****Purpose of the Report**

1. To agree a response to the Committee on Standards in Public Life (CoSPL) in relation to its review of local government ethical standards.

**Information**

2. CoSPL has launched a review of local government ethical standards with a call for evidence. The review aims to examine and assess the effectiveness of the structures, processes and practices in local government in England for:
  - a. Maintaining codes of conduct for local councillors
  - b. Investigating alleged breaches fairly and with due process
  - c. Enforcing codes and imposing sanctions for misconduct
  - d. Declaring interests and managing conflicts of interest
  - e. Whistleblowing
3. The call for evidence stems from reports of intimidation of candidates and their supporters during the 2017 general election campaign, in particular on social media, in relation to which CoSPL has already undertaken a review. CoSPL heard from local councillors during the course of its inquiry and decided that a health check of local government would be timely; as well as reviewing the effectiveness of local authority arrangements, it will be noting evidence of intimidation of councillors, and making recommendations for any measures that could be put in place to prevent and address intimidation in future.
4. One issue that has already been considered is whether the current requirement for candidates standing for election as councillors to publish their home addresses on the ballot paper should be removed. The government has already said that it is looking to bring forward legislation to remove this requirement. It also intends to review its 2013 guidance 'Openness and transparency on personal interests – A Guide for Councillors'. This is to ensure all members required to declare pecuniary interests are aware of the 'sensitive interests' provision in the Localism Act, which allows for information to be declared to the local authority, but not made public.
5. The two main consultation questions are: -

- a. Are the existing structures, processes and practices in place working to ensure high standards of conduct by local councillors? If not, please say why
  - b. What, if any, are the most significant gaps in the current ethical standards regime for local government?
6. These are followed by detailed questions on codes of conduct, investigations and decisions on allegations, sanctions, declaring interests and conflicts of interest, improving standards, whistleblowing, and intimidation of local councillors. The questions, together with draft responses for Committee's consideration, are set out in the **Appendix** to the report. The closing date for responses is 18 May.
7. Individual Councillors are able to submit their own personal responses if they wish to do so. The Council's Independent Persons have also been made aware of the call for evidence.

### **Other Options Considered**

8. There is no requirement for Governance and Ethics Committee to submit a response.

### **Reason/s for Recommendation/s**

9. To take the opportunity of contributing to a review that may influence changes to ethical standards in local government in future.

### **Statutory and Policy Implications**

10. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATION/S**

- 1) To consider what response, if any, to submit to the Committee on Standards in Public Life.
- 2) To delegate authority for the final drafting of any response to the Monitoring Officer in consultation with the Committee Chairman.

**Jayne Francis-Ward**  
**Monitoring Officer and Corporate Director Resources**

**For any enquiries about this report please contact:**

Sue Bearman, Senior Solicitor

[susan.bearman@nottsc.gov.uk](mailto:susan.bearman@nottsc.gov.uk)

0115 9773378

**Constitutional Comments (SMG 12/04/18)**

11. Governance and Ethics Committee is the appropriate body to consider the content of this report.

**Financial Comments (SES 10/04/18)**

12. There are no specific financial implications arising directly from this report.

**Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- The stakeholder consultation is published  
<https://www.gov.uk/government/consultations/local-government-ethical-standards-stakeholder-consultation>

**Electoral Division(s) and Member(s) Affected**

- All