

25 November 2020

Agenda Item: 7

REPORT OF THE MONITORING OFFICER

COMMITTEE ON STANDARDS IN PUBLIC LIFE – PROGRESS WITH IMPLEMENTATION OF BEST PRACTICE RECOMMENDATIONS

Purpose of the Report

1. To seek approval to the update response to the Committee on Standards in Public Life (CoSPL) regarding progress with implementation of the best practice recommendations of the Committee.

Information

2. In May 2018, this Committee considered the consultation document on local government ethical standards issued by the CoSPL and agreed a response. In May 2019, it considered the CoSPL's report. The CoSPL considered that high standards of conduct in local government were needed to protect the integrity of decision-making, maintain public confidence and safeguard local democracy. They were concerned about a risk to standards under the current arrangements, as a result of the current rules around declaring interests, gifts and hospitality and the increasing complexity of local government decision-making. They made 26 main recommendations and 15 best practice recommendations.
3. One of the main recommendations was for the Local Government Association to draft a new Model Code of Conduct for use by Authorities. Members will recall that in July this year, Committee considered a response to the consultation made by the Local Government Association (LGA) to the draft Model Code of Conduct which it had prepared. Further review of the draft is ongoing by the LGA and they are hoping that a final version will be available around the end of the calendar year.
4. Members will also recall that a number of the main recommendations required a response from the Government and that is still awaited.
5. In the meantime, the CoSPL has written to Local Authorities asking to be updated on each Council's progress with implementation of their Best Practice recommendations. The document attached at Appendix 1 sets out each of the Best Practice recommendations and the Council's proposed response. The suggestion by officers is that many of the issues raised in those recommendations would be best addressed within the new Model Code rather than by authorities at an individual level. As a result, the response indicates that the Council proposes

waiting until the new Model Code has been finalised and published before deciding whether it needs to take any further action.

6. The Council's three Independent Persons will be invited to this meeting of the Committee so that they can be present to hear the debate and offer their views to assist members in reaching their decision.
7. Members are asked to consider the proposed response in Appendix 1 and unless any amendments are proposed, to approve its submission to the CoSPL by the deadline of 30 November 2020. The Council's response will be published by CoSPL on its website, together with all other responses received.

Other Options Considered

8. The Council could choose not to respond to the CoSPL but there has been a specific request from its Chairman for Authorities to provide an update on progress and therefore it is considered necessary to do so.

Reason/s for Recommendation/s

9. To provide a response to the CoSPL on behalf of the County Council.

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

It is recommended that:

- 1) Members approve the update response to the Committee on Standards in Public Life regarding progress with implementing its Best Practice Recommendations, and
- 2) A further report is brought to Committee after publication of the revised Model Code of Conduct outlining the next steps for implementation of the Model Code in Nottinghamshire and to consider whether any further changes to the Council's Code of Conduct are required.

Marjorie Toward

Monitoring Officer and Service Director – Customers, Governance and Employees

For any enquiries about this report please contact:

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Constitutional Comments (LW 12/11/2020)

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

Financial Comments (RWK 12/11/2020)

There are no specific financial implications arising directly from the 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 Local Government Ethical Standards Review is published <https://www.gov.uk/government/publications/local-government-ethical-standards-report>

Electoral Division(s) and Member(s) Affected

- All