



ST HELENS
BOROUGH COUNCIL

Standards Committee

19 October 2020

Report Title:	Committee on Standards in Public Life – Progress on Best Practice Recommendations
Cabinet Portfolio	Finance & Governance
Cabinet Member	Councillor Martin Bond
Exempt Report	No
Reason for Exemption	N/A
Key Decision	No
Public Notice issued	N/A
Wards Affected	None
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Borough priorities Please mark X for any priority supported by this report NB Use Section 4 - Background Information to explain how each selected priority is supported	Ensure children and young people have a positive start in life	
	Promote good health, independence and care across our communities	
	Create safe and strong communities for our residents	
	Support a strong, diverse and well-connected local economy	
	Create a green, thriving and vibrant place to be proud of	
	Be a modern, efficient and effective Council	X

1. Summary

- 1.1 To provide Standards Committee with an update on progress in relation to the Committee on Standards in Public Life (“CSPL”) Best Practice recommendations.

2. Recommendations for Decision

The Committee is recommended to:

- i) **note the Council’s progress made so far in relation to the Committee on Standards in Public Life Best Practice recommendations; and**
- ii) **convene a Working Group of members and officers to consider the outstanding recommendations in relation to the Council’s Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members and report back to Standards Committee with recommendations.**

3. Purpose of this Report

- 3.1 The CSPL has recently contacted all local authority Chief Executives requesting a response by 30 November 2020 on the Council’s progress in relation to the best practice recommendations. Council responses will be published on the CSPL website in the new year.
- 3.2 In January 2019, the CSPL published its Local Government Ethical Standards report, which made a number of recommendations, including some best practice recommendations to improve ethical standards in local government. The best practice represents a benchmark for ethical practice which the CSPL expect any local authority can and should implement.
- 3.3 The CSPL undertook in that report to follow up and review the implementation of the best practice with local authorities this year. The Council is required to update the CSPL on its progress to implement the best practice recommendations.

3.4 A position statement on the Council's progress so far is set out in Appendix 1.

4. Background /Reasons for the recommendations

4.1 In 2018, the CSPL undertook a review of the ethical standards in local government with the following terms of reference:

i. examine the structures, processes and practices in local government in England for:

- maintaining codes of conduct for local councillors
- investigating alleged breaches fairly and with due process
- enforcing codes and imposing sanctions for misconduct
- declaring interests and managing conflicts of interest
- whistleblowing

ii. assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;

iii. make any recommendations for how they can be improved;

iv. note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

4.2 The review considered all levels of local government in England, including town and parish councils and principal authorities.

4.3 In January 2019, the CSPL issued its report:

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

4.4 The review proposed a number of changes to primary legislation for consideration by central government to improve ethical standards. One of the key proposed changes includes increasing the sanctions available to Councils when members are found to be in breach of the Code of Conduct for Elected Members. This issue has yet to be considered and determined by central government.

4.5 Standards Committee considered reports in relation to the CSPL best practice recommendations in January and April 2019. The April report included a gaps analysis on the Council's position in relation to the best practice recommendations. This was used to inform a review of the Council's Code of Conduct for Members to strengthen it with proposed changes, recently approved by Council at its meeting on 22 July 2020. Those changes address some of the best practice recommendations.

4.6 The position statement at Appendix 1 sets out the progress so far. Some of the recommendations relate to the Council's agreed Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members (Appendix 2). It is recommended for a working group of members and officers to undertake a review of the Procedure and report back to Standards Committee with recommendations for amendments.

5. Community Impact Assessment

5.1 N/A

6 Consideration of Alternatives

- 6.1 None. All Councils are required to respond to the CSPL with an update on progress in relation to the best practice recommendations.

7 Conclusions

- 7.1 The Council is in a good position to respond to the CSPL with progress so far. Subject to further consideration by Standards Committee, it can also demonstrate how it intends to approach progressing the outstanding recommendations in due course.

8. Implications

8.1 Legal Implications

- 8.1.1 The Council has delegated to the Standards Committee the statutory function to promote and maintain high standards of conduct by members and co-opted members.

8.2 Community Impact Assessment (CIA) Implications

What are the implications for the following areas identified from the CIA?

8.2.1 Social Value

- 8.2.1.1 N/A

8.2.2 Sustainability and Environment

- 8.2.2.1 N/A

8.2.3 Health and Wellbeing

- 8.2.3.1 N/A

8.2.4 Equality and Human Rights

- 8.2.4.1 The Council's Procedure for Dealing with Complaints is aimed to ensure equality of access by all.

8.3 Customers and Resident

- 8.3.1 The Council's Procedure for Dealing with Complaints is published on the Council's website and aims to provide a clear process for all customers and residents.

8.4 Asset and Property

- 8.4.1 N/A

8.5 Staffing and Human Resource

- 8.5.1 N/A

8.6 Risks

8.6.1 The recommendations in the report aim to improve the Council's procedure for dealing with Complaints and mitigate any reputational risks to the Council.

8.7 Finance

8.7.1 N/A

8.8 Policy Framework Implications

8.8.1 N/A

9. Background papers

9.1 Review by the Committee on Standards in Public Life – Local Government Ethical Standards: January 2019:

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

10. Appendices

Appendix 1: CSPL Best Practice Recommendations & Council position statement

Appendix 2: Council's Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members