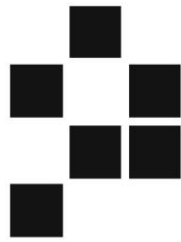


## **Chairs Announcement**

**Please note that members of the public and the press are now allowed by law to film, audio record, take photographs, blog or tweet at this meeting. I would ask at this point if anyone is intending to film the meeting? I would ask anyone who is recording to avoid any disruption of the meeting and to avoid filming members of the public. If you do film members of the public there is the potential for civil action against you by anyone who has not given their permission to be filmed.**

**We are not expecting a fire drill, so in the event of the fire alarm sounding, please leave the building as quickly as possible. The Governance Services Officer will direct you to the appropriate exit and assembly point.**



**Sandwell**  
Metropolitan Borough Council

**Ethical Standards and Member  
Development Committee**

**Friday, 8 September, 2017 at 2.30 pm  
in Committee Room 1 at the Sandwell Council House, Oldbury**

**Agenda**

(Open to Public and Press)

1. Apologies for absence.
2. Members to declare any interest in matters to be discussed at the meeting.
3. To confirm the minutes of the meeting held on 16 June, 2017, as a correct record.
4. Member Development Programme.
5. Members Gifts and Hospitality Register – Annual Review.
6. Committee on Standards in Public Life – Annual Report.
7. Allegations Update.
8. Case Summary.

**J Britton**  
**Chief Executive**

Sandwell Council House  
Freeth Street  
Oldbury,  
West Midlands

Distribution:

Councillor Lewis (Chair)

Councillor S Crumpton (Vice-Chair);

Councillors E M Giles, P Hughes, Sandars, Shackleton, Trow and Underhill.

Mr Tomkinson and Ms Williams [Independent Persons].

**Agenda prepared by Trisha Newton  
Democratic Services Unit  
Tel No: 0121 569 3193  
E-mail: [trisha\\_newton@sandwell.gov.uk](mailto:trisha_newton@sandwell.gov.uk)**

This document is available in large print on request to the above telephone number. The document is also available electronically on the Committee Management Information System which can be accessed from the Council's web site on [www.sandwell.gov.uk](http://www.sandwell.gov.uk)

Please note that this meeting may be filmed by members of the public and press, and may be filmed by the Council for live or subsequent broadcast on the Council's web site.

## **Apologies**

To receive any apologies from members

## **Declarations of Interest**

Members to declare any interests in matters to be discussed at the meeting.

**Minutes of the Ethical Standards  
and Member Development Committee**

**16<sup>th</sup> June, 2017 at 2.30 pm  
at the Sandwell Council House, Oldbury**

**Present:** Councillor S Crumpton (Vice-Chair);  
Councillors E M Giles, P Hughes, Sandars, Trow  
and Underhill.

**Observer:** Mr Tomkinson (Independent Person).

**Apologies:** Councillor Lewis (Chair);  
Ms Williams (Independent Person).

1/17 **Minutes**

**Resolved** that the minutes of the meeting held of the former Standards Committee on 24<sup>th</sup> March, 2017 be confirmed as a correct record.

2/17 **Appointment of Sub-Committees**

The Localism Act 2011 required authorities to adopt arrangements for dealing with complaints about breaches of the Member Code of Conduct. The Council's arrangements for dealing with complaints provided for a Sub-Committee of the Ethical Standards and Member Development Committee to consider investigation reports referred to it by the Monitoring Officer and to conduct hearings (including the imposition of sanctions).

The Council, at its annual meeting held on 16<sup>th</sup> May 2017, agreed the membership of the Ethical Standards and Member Development Committee for the 2017/2018 municipal year. It was now necessary for the Committee to appoint sub-committees under the arrangements approved in accordance with the Localism Act 2011.

## **Ethical Standards and Member Development Committee**

**16<sup>th</sup> June, 2017**

**Resolved** that two Ethical Standards Sub-Committees be appointed for the 2017/18 municipal year, with flexibility between membership to cater for availability and workload, with delegated powers to carry out the functions set out in the following terms of reference, and with the membership set out below:

### **Terms of reference of the Ethical Standards Sub-Committee**

- To consider investigation reports referred to it by the Monitoring Officer.
- To conduct hearings (including the imposition of sanctions).

### **Membership**

<b>SUB-COMMITTEE 1</b>		<b>SUB-COMMITTEE 2</b>	
Member	Substitute	Member	Substitute
Lewis	S Crumpton	S Crumpton	Lewis
E M Giles	P Hughes	P Hughes	E M Giles
Shackleton	Sandars	Sandars	Shackleton
Trow	Underhill	Underhill	Trow

3/17

### **Appointment of Independent Person**

In accordance with the Localism Act 2011, arrangements must be put in place for the appointment by the Council of at least one Independent Person whose views must be sought and taken into account by the Council before a decision on an allegation against an elected member was made. The Independent Person's views may be sought by a member or co-opted member of the Council if that person's behaviour was the subject of an allegation, and may also be sought by the Council in relation to an allegation it had not yet decided to investigate.

The Council had decided to appoint three Independent Persons. Following a recent resignation, there was one vacancy.

## Ethical Standards and Member Development Committee

16<sup>th</sup> June, 2017

In terms of a third member, to enable statutory processes to be followed, a recruitment exercise would be carried out. An update would be provided at the next meeting with regard to the outcome of the interview process and to seek approval, if required, to additional persons to the role of Independent Person.

**Resolved** that a report be submitted to the next meeting of the Ethical Standards and Member Development Committee with regard to the outcome of the interview process for the appointment of an additional Independent Person and to seek approval, if required, to additional persons to the role.

### 4/17 Allegations Update

The Committee received a verbal update on complaints received in respect of member conduct.

### 5/17 Case Summary

The Committee considered two external cases.

The first case concerned a councillor who had made a Nazi salute in a budget meeting and could be guilty of misconduct in public office. The councillor had been suspended for three months and ordered to undertake a course of diversity training, but would keep his role as member.

The councillor had been barred from sitting on six council committees and told to apologise to the Standards Committee.

A separate investigation into the councillor's actions, by the monitoring officer, was ongoing.

The second case concerned a councillor who took to Twitter to lash out at his colleagues, just hours after he was threatened with expulsion over his social media conduct.

East Herts District Council formally censured the councillor after he called opponents "thick" and "illiterate", and ordered him to attend social media training.

Standards sub-committee members subsequently agreed with a report that found the councillor had breached the council's code of conduct to treat the public with respect.



## Ethical Standards and Member Development Committee

16<sup>th</sup> June, 2017

The councillor had argued with opponents on the social media site over whether the authority should hold prayers before its full council meetings. He attempted to mitigate by saying he was provoked and defending not only himself but the majority of councillors who voted against stopping prayers.

The councillor was given one month to attend the training or he would be removed from the six committees he stood on.

6/17

### Work Programme 2017/18

The Committee considered a draft work programme for 2017/18.

The oversight of the member development function was welcomed as a new role of the Committee. A report would be submitted to the next meeting of the Committee, however, members stressed the importance of being more engaged in the training process and welcomed involvement with external partners, such as colleges.

**Resolved** that the work programme for 2017/18 be approved and kept under review during the year.

(Meeting ended at 3.08 pm)

Contact Officer: Trisha Newton Democratic Services Unit 0121 569 3193
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**Ethical Standards and Member Development Committee**

**8 September 2017**

**Member Development Programme**

**1. Summary Statement**

1.1 The remit of the Ethical Standards and Member Development Committee has been widened to incorporate member development and training, including the establishment of a comprehensive and robust member training and development process.

1.2 An update will be provided at the meeting.

Further details are attached for your information

**2. Recommendation**

**2.1** That the Committee endorse the way forward in the establishment of a Member Development Programme.

**Maria Price**  
**Service Manager – Legal**

### 3. **Resource Implications**

- 3.1 There are no resource implications arising directly as a result of this report.

### 4. **Legal Implications**

- 4.1 At its annual meeting on 16 May 2017 the remit of the former Standards Committee was widened to incorporate member development and training and renamed the Ethical Standards and Member Development Committee.

**Ethical Standards and Member Development Committee**

**8 September 2017**

**Members' Gifts and Hospitality Annual Review**

**1. Summary Statement**

- 1.1 This report outlines the statutory provisions relating to the Members' Gifts and Hospitality and provides an opportunity for members to review the Register.
- 1.2 Guidance is available to all members on how to treat offers of gifts and hospitality and the process for declaring such offers. This guidance forms part of the Council's Constitution. This guidance was last reviewed by the Committee in March 2015 as part of the review of the Code of Conduct.
- 1.3 The Monitoring Officer maintains a public register of members' interests and also a record of any gift or hospitality received with an estimated value of at least £100.00. The Register of Members' Gifts and Hospitality is available for inspection by the public at all reasonable hours. Declarations of gifts and hospitality by individual members are also recorded on the Committee Management Information System [CMIS] on the Council's web site and can be accessed at any time from the internet.
- 1.4 The Registers are periodically reviewed by the Director - Monitoring Officer.
- 1.5 The Committee last inspected the Register of Interests in September 2016 and its work programme provides for an annual review of the Register. The paper Register will therefore be available at the meeting for members to peruse.
- 1.6 Regular reminders are sent to Members to update their entries.

Further details are attached for your information.

## **2. Recommendation**

- 2.1 That the Ethical Standards and Member Development Committee notes the contents of this report and makes any relevant recommendations to the Director - Monitoring Officer after consideration of the Members' Gifts and Hospitality Register.

**Maria Price**  
**Service Manager – Legal**

Contact Officer:

Trisha Newton

Principal Democratic Services Officer

0121 569 3193

## **3. Strategic Resource Implications**

- 3.1 There are no resource implications arising from this report.

## **4. Legal and Statutory Implications**

- 4.1 The Localism Act 2011 (and Regulations made under the Act) did not include any provisions requiring Members' or co-opted Members' to register Gifts and Hospitality, which was formerly the case. However, the Council does still have a duty to promote high standards of conduct by Members' and co-opted Members'.
- 4.2 The Members' Code of Conduct describes the interests of any person from whom a member has received a gift or hospitality with an estimated value of at least £100.00 as other registerable interest of the member.
- 4.3 The Protocol for Members' on Gifts and Hospitality sets out important guidance for Members' on the acceptance of Gifts and Hospitality. Maintaining a Protocol on Gifts and Hospitality also assists the Council to comply with the requirements of the Bribery Act 2010. Under the Bribery Act 2010 all employees and Elected Members' are prohibited from soliciting, arranging or accepting bribes intended for the benefit of the Council, or for their personal benefit, or for the benefit of the employee's family, associates or acquaintances.

## **5. Implications for the Council's Scorecard Priorities**

- 5.1 The Members' Register of Gifts and Hospitality is an important instrument of openness and good governance. It provides an accessible record of the gifts and hospitality received by members. Monitoring and review of the Register will help to contribute to better corporate governance which underpins the delivery of high quality services.

## **6. Background Details**

- 6.1 The Monitoring Officer maintains a public register of councillors' and co-opted members' interests and also a record of any gift or hospitality received with an estimated value of at least £100.00. The Council has adopted a Protocol for Members on Gifts and Hospitality in its Constitution.
- 6.2 As a public register the Council must ensure that this record is available for inspection by the public at all reasonable hours. The Register of Gifts and Hospitality still exists in paper form but the Council's protocols permit members also to declare gifts and hospitality on their general declarations of interest forms. All declarations of gifts and hospitality are recorded on each individual member's record on the Committee Management Information System on the Council's web site and can be accessed at any time from the internet. Those entries are cross referenced to a schedule in the paper register which records the total number of declarations made and by whom.
- 6.3 The definition of other registerable interest which must be declared under the Code of Conduct includes: "the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £100.00"
- 6.4 The Members' Code of Conduct requires members to disclose their interests at Council meetings where the business under consideration relates to, or is likely to affect, the donor of any gift or hospitality to the member of £100.00 or more.

6.5 Members should register the interest as soon as possible after acceptance of the gift or hospitality and in any event, no later than 28 days after acceptance. Failure to register within the 28 day period is a breach of the Code of Conduct. The registration should include the source and nature of the gift or hospitality. Members are not required under the Code to register any gifts or hospitality with the value of less than £100.00, nor are they required to register any gifts or hospitality that they do not accept. The Protocol is wider than the Code.

**Ethical Standards and Member Development Committee**

**8 September 2017**

**Committee on Standards in Public Life Annual Report for 2016-17**

**1. Summary Statement**

- 1.1 Within its terms of reference, the Ethical Standards and Member Development Committee has a duty to promote high ethical standards amongst Members. As well as complying with legislation and guidance, the Committee will need to demonstrate learning from issues arising from local investigations and case law. Furthermore it is advisable for the Committee to be kept informed of any issues arising out of the Annual Report from the Committee on Standards in Public Life as they may also add to learning at the local level.

**2. Recommendation**

- 2.1 Members are requested to consider and comment on the Annual Report of the Committee on Standards in Public Life at Appendix 1.

**Maria Price**  
**Service Manager – Legal**

**Contact Officer**

Trisha Newton  
Principal Democratic Services Officer  
0121 569 3193



### **3. Strategic Resource Implications**

3.1 There are no resource implications arising from this report.

### **4. Legal and Statutory Implications**

4.1 By noting the work of the Committee on Standards in Public Life members will be better informed to discharge their duty to promote high ethical standards.

### **5. Implications for the Council's Scorecard Priorities**

5.1 High standards of conduct are an essential part of good corporate governance and this in turn has a direct relationship with the delivery of high quality services.

### **6. Background Details**

6.1 On 10 July 2017, the Committee on Standards in Public Life published its annual report for 2016-17.

**Committee on  
Standards  
in Public Life**

# **Setting the Standard**

**Strategic Plan**

**Annual Report      2016-17**

**Forward Plan      2017-18**

# THE SEVEN PRINCIPLES OF PUBLIC LIFE

The Seven Principles of Public Life apply to anyone who works as a public office holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office holders are servants of the public and stewards of public resources. The Principles also apply to all those in other sectors delivering public services.

## SELFLESSNESS

Holders of public office should act solely in terms of the public interest.

## INTEGRITY

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

## OBJECTIVITY

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

## ACCOUNTABILITY

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

## OPENNESS

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

## HONESTY

Holders of public office should be truthful.

## LEADERSHIP

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Foreword

I am delighted to present the Committee on Standards in Public Life's Strategic Plan, Annual Report 2016-2017, and Forward Plan 2017-18. In this document the Committee sets out its purpose and focus, and identifies our strategic objectives and how we intend to achieve them.

Since its creation in 1994, the Committee has made recommendations for reform to uphold the highest standards of ethical conduct across public life. These recommendations shape how we talk and think about ethical standards: the Seven Nolan Principles are the widely accepted cornerstone of ethical standards for people working across all areas of public life.

The purposes of the Committee are clear: we examine areas of concern about the standards of conduct of public office holders and promote the highest standards of conduct across public life. To fulfil this remit, we develop well-argued, evidence-based, practical recommendations to help bolster ethical standards. We undertake tailored and substantial research projects focused on addressing particular areas of public life. We are also alert, proactively identifying and responding to emerging ethical risks, and listening to the public and a wide range of organisations to remain responsive to emerging risks in standards.

In 2016-17, we considered issues across public life from regulatory bodies to referendums, and party funding to induction for new MPs, to reinforce the importance of the Nolan Principles and emphasise their relevance in fast-changing times. In September 2016 we launched our report on regulators, *Striking the Balance - Upholding the Seven Principles of Public Life in Regulation*. In 2017-18 we will publish the findings of our current review on 'reasonable limits' for MPs' outside interests, and work with a wide range of audiences to address other standards issues.

The new Parliament provides an opportunity for everyone in public life to reflect on their standards of conduct, both what they do well and what can be improved. As the process of negotiating and scrutinising the UK's departure from the EU begins, honesty and integrity in political discourse has never been more important. We call on all public office holders to consider how they can incorporate the Seven Principles into their daily work to promote public trust and confidence as we face the challenges ahead.

Finally, I extend my warmest thanks to our departing Committee members. Dame Angela Watkinson DBE and Richard Thomas CBE have both made invaluable contributions to the Committee. Richard's contribution to *Striking the Balance* in particular was fundamental to the report's success. Their insightful and thoughtful contributions to our work will be sorely missed and we wish them both well in their future endeavours.

A handwritten signature in blue ink that reads "Paul Bew". The signature is written in a cursive, flowing style.

Lord Bew

Chair

# CSPL

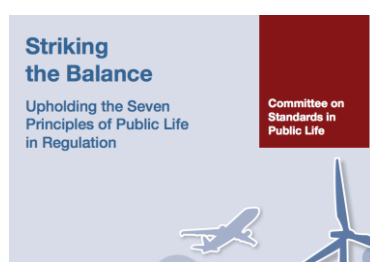
## Year in Review

### August 2016

We publish research by Dr Michael Pinto-Duschinsky on **party funding** expenditure from 2011 to 2016.

### September 2016

We launch our report on regulators - **Striking the Balance: Upholding the Seven Principles of Public Life in Regulation**, which identifies a series of 'best practice' benchmarks for regulators and makes recommendations to the government.



**Jane Ramsey** joins the Committee.

### October 2016

We submit evidence to the Independent Parliamentary Standards Authority's review of the **MPs' Scheme of Business Costs and Expenses**.

### November 2016

The Committee hosts a seminar on the **conduct of referendums**, which brings together a range of interested stakeholders from politics, the media, regulators and academia.



Lord Bew presents the research commissioned by the Committee into **party funding** in the House of Lords.

### December 2016

The Rt Hon **Lord Stunell OBE** joins the Committee as the Liberal Democrat member.

### January 2017

Working paper on the **conduct of referendums** is published on our website, along with video footage of the event.

**Dr Jane Martin CBE** joins the Committee.

### February 2017

We issue our follow-up survey on the **Striking the Balance** report to regulatory bodies.

We hold meetings with **Public Service Providers**, as part of the follow-up research to our 2014 report and 2015 guidance.

### March 2017

The Committee announces a short review on the subject of **MPs' Outside Interests**, and invites public submissions. The review is focused on the 'reasonable limits' for MPs' outside interests.



We make a submission to the Commons Culture, Media and Sport Committee's inquiry into the impact of **'fake news'** on modern democracy.

### April 2017

We consider the submissions made to our on-going short review on **MPs' Outside Interests**.



### May 2017

The Committee does not make any public statements during the **pre-election period**.

### June 2017

After the 2017 General Election, we deliver a session on the Seven Principles and maintaining ethical standards as part of the House Authorities' **induction for new MPs**.

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# 1. Strategic Plan

## Our strategic purpose and focus

The Committee was established in 1994 with a clear purpose: to examine areas of concern about the standards of conduct of public office holders, advise the Prime Minister accordingly, and to promote the highest standards of conduct across public life.

- 1.1 Over the lifetime of this strategic plan, our vision is to reinforce clear expectations across public life of excellent ethical standards. Our remit extends to all those holding public office, and those providing public services. As a standing committee we have a constant presence, which enables us to monitor progress on different issues (including our own recommendations) over time. It also enables us to respond in a timely way when concerns arise.
- 1.2 The maintenance of high standards in public life is important for the good functioning of society as a whole, helps maintain public trust in institutions, and is important for democracy. High standards of conduct underpin public confidence in every aspect of public life, from the delivery of health and social care services to education, policing and legislation.
- 1.3 The Committee is uniquely placed to consider the 'ethics landscape' as a whole, and will work to serve the public by striving to ensure the Nolan Principles are understood and embedded in public life.
- 1.4 It is a wide landscape, so we are committed to working with others to ensure this vision is met. We will identify particular areas of concern and consider those issues in more depth.

## Our strategic objectives

- 1.5 The Committee will:
  - **Identify areas of concern** in terms of conduct and behaviours before they develop into activities which could lead to a breach of public trust
  - Undertake balanced, comprehensive inquiries, based on robust and effective research. We will use the research gathered in these inquiries to develop **evidence-based, practical recommendations** to help maintain or improve ethical standards across the public sector;
  - We will make **informed contributions to public debates** about ethical standards, including submissions to public consultations and on-going inquiries by parliamentary committees;
  - We will be alert, **proactively identifying and responding** to emerging ethical risks and engaging with a wide range of partners to develop the ethical standards agenda.

During this timeframe in particular there is a heightened requirement for **honesty and integrity in political discourse**, especially during the process of negotiating and scrutinising the **UK's departure from the EU**. We will keep a close watching brief on standards of conduct around these issues.

- 1.6 We are committed to ensuring that we continue to be an effective, efficient organisation delivering value for money.

## Measuring our effectiveness

- 1.7 As an advisory body with no statutory powers to enforce our recommendations, it is not always easy to measure our impact directly. Our effectiveness depends on our ability to build powerful arguments using research, and evidence which convinces others to take forward our recommendations for change.
- 1.8 The following indicators help to gauge our performance. We will refine and elaborate on these during the life of this strategic plan in the light of experience:
- Delivering **well-researched, balanced reports** which identify ways to improve and maintain ethical standards in the public sector, together with other proactive outputs as specific issues arise;
  - Making practical **recommendations** which are evidence-based and persuasive;
  - Maintaining our own **openness and accountability** to the public (including our website, public consultations and research surveys); and
  - Working with key **stakeholders and partners** through seminars and meetings.

## Setting priorities and work balance

- 1.9 We anticipate that the majority of our time will be spent on our proactive work i.e. our substantive inquiries, research and follow-up which enable us to make a contribution from our unique vantage point.
- 1.10 We will also continue to make submissions to Select Committee inquiries and other consultations so that we can collaborate with others on important issues. We will use resources effectively to ensure that time spent responding to inquiries and consultations initiated by others does not crowd out priority work.
- 1.11 Should any immediate and pressing issues arise, we would rearrange our priorities as necessary.
- 1.12 The Committee aims to make valid, evidence-based contributions to inform and stimulate public debate; this relies on consultation with other bodies and research organisations. We will continue to bring together key stakeholders for thoughtful and engaging seminars.
- 1.13 We will ensure that our reports and reactive contributions draw together reliable evidence with regard to the principles of public life.
- 1.14 The Committee recognises the social media and technological changes that have substantially altered the relationship between the public and public office holders. We must seek to meet the challenge of maintaining relevance, communicating with the public appropriately, and responding quickly to new issues as they arise, whilst still making measured and evidence-based contributions to any debate.



## Selection of inquiries

- 1.15 The choice and scope of our inquiries is informed by our assessment of the importance of the issue, the scope for the Committee to make a distinctive and authoritative contribution, and its potential impact.
- 1.16 In each inquiry we set out to make recommendations or identify areas of best practice which will encourage the highest standards of propriety in public life. We will continue our practice of following-up our recommendations to monitor our impact.

## Evidence gathering

- 1.17 The Committee will use appropriate methods to gather evidence, depending on the subject in hand. These may include:
- One-to-one **meetings** with stakeholders;
  - Roundtables, **seminars** and workshops;
  - Undertaking public **consultations**;
  - Independent **surveys** initiated by the Committee, and submitting questions to panel surveys;
  - Attending external **events**;
  - Desk-based **research**;
  - Commissioning **academic research**, including from the Economic and Social Research Council (ESRC) CASE studentship at the University of Nottingham; and
  - Consulting with the Committee's **Research Advisory Board**.

## Taking opportunities for our voice to be heard

- 1.18 In addition to inquiries and monitoring standards issues, we will take the lead and ensure our voice is heard promoting high ethical standards, including by:
- Advising the Prime Minister, **ministers** and others on key issues;
  - Contributing to **Select Committees' inquiries** in both Houses;
  - Ensuring our reports are shared with the **appropriate audiences**;
  - Participating in **conferences**, seminars and workshops;
  - **Writing articles** and **delivering speeches** to communicate our key messages;
  - Speaking to the **media**; and
  - Communicating with the public and partners through our **website, blogs and social media presence**.

## Monitoring wider standards issues

1.19 The Committee is not complacent, and ethical issues have not gone away, so to fulfil our remit to consider ethical standards across the public sector we will:

- Maintain a **watching brief** to identify emerging or persistent ethical standards issues, and be quick to highlight their significance to those best placed to respond;
- Work with partners to undertake quantitative and qualitative **research** into public perceptions of ethical standards; and
- Respond to **consultations**, key policy announcements and legislation where these impact on ethical standards and we have an informed contribution to make.

The Committee is concerned about how to combat social media's misappropriation of facts. Social media can inaccurately shape political discourse and public debate. This is a key area for the Committee's watching brief, and we will be alert to monitoring social media's impact.

## Communications

**We are fully committed to openness in all our activities. We will ensure that we communicate our work effectively, making it visible to everyone with an interest in ethical standards.**

1.20 We will ensure that our website provides an effective means of communicating our views and activities, as well as full corporate transparency data including:

- Details of our external meetings;
- Committee meeting agendas and minutes;
- Quantitative data and evidence received; and
- The Committee's register of interests.

1.21 We will make full use of blogging, Twitter and other social media platforms.

## Using our resources to best effect

1.22 The Committee will continue to exercise efficiency, including in the following ways:

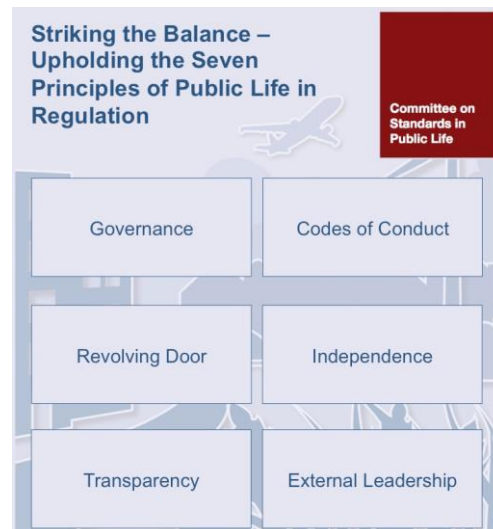
- **Research:** For research into public attitudes to ethical standards, our Research Advisory Board will continue to add questions to panel surveys being undertaken by other organisations, rather than prioritise stand-alone pieces of quantitative research.
- **Interactions with stakeholders:** We will think creatively about how to ensure we are accessible in an efficient, cost-effective way, for example by issuing online consultation papers and surveys, holding roundtables and conducting interviews locally.
- **Administrative processes:** All services (including travel, accommodation, IT and human resources) are obtained wherever possible through the Cabinet Office to benefit from economies of scale.

## 2. Overview of Activities 2016-17

2.1 We have delivered against our [2016-17 forward plan](#) and gone further.

### Striking the Balance: Upholding the Seven Principles of Public Life in Regulation

2.2 In September 2016 we launched our report, [Striking the Balance: Upholding the Seven Principles of Public Life in Regulation](#), on ethical standards for regulatory bodies. This report identified a series of ‘best practice’ benchmarks for regulators and made recommendations to the Government on how regulatory bodies can be supported to uphold the [Seven Principles](#). The Committee grouped its best practice recommendations for regulatory bodies into six key areas, so that all regulatory bodies can check the approach of their own organisation against the ethical standards they should be upholding.



2.3 Our report on this topic was not prompted by any particular event, but constituted a ‘health-check’ of the way in which regulators manage ethical issues in their own organisations. We were interested in the extent to which the unique characteristics of regulators create or demand any specifically tailored ethical solutions.

2.4 The report was based on extensive research including face-to-face interviews with representatives of regulatory bodies, a survey of regulators, three roundtables, commissioned [academic work](#), and desk research. The Committee was broadly reassured by its findings. During the course of the review, however, we came across some variation in ethical standards which caused us some concern. The Committee hopes this report will be considered by all public bodies which perform a regulatory function, and provide a benchmark for these organisations.

2.5 The report was published alongside a [blog](#) from Committee Member Richard Thomas which emphasised how important the issue of high ethical standards for regulatory bodies will be in the UK post-Brexit. A [blog](#) by Dr Sarah Devaney provided her thoughts on how best practice can be adopted in healthcare regulation. A further [blog](#) by Richard Thomas in February 2017 addressed news stories around that time about the ‘revolving door’ between regulatory bodies and the sector they regulate.

2.6 In Spring 2017, the Committee issued a follow-up survey to all regulatory bodies to see how our report has been used by regulators, and to see if there has been any progress within regulatory bodies in line with the report’s recommendations. We will report on the findings from this survey in late 2017.

## The Conduct of Referendums

- 2.7 There have been four referendums in the last five years: Welsh devolution (2011); the Westminster electoral system (2011); Scottish independence (2014); and EU membership (2016). These have tested the legislative framework for referendums put in place in 2000. The Committee has maintained an interest in the conduct and operation of referendums.
- 2.8 After the 2016 referendum on the UK's membership of the EU, members of the public wrote to the Committee to express their concern about how the referendum was conducted. The Committee [wrote](#) to the [Public Administration and Constitutional Affairs Committee](#) as part of their evidence collection for their inquiry into lessons learned from the EU referendum 2016 to inform them that we intended to host a seminar on this topic.
- 2.9 On 22 November 2016, we held a joint seminar with University College London's [Constitution Unit](#) on the impact of referendums in the UK.

2.10 The Committee invited individuals from a range of disciplines and positions to a broad discussion around the themes of:

- What are the problems?
- How are referendums in the UK conducted?
- Can we draw lessons from elsewhere?
- What ideas are worth pursuing in the future?



- 2.11 A [transcript](#) of the seminar was published on our website in December 2016 and a [working paper](#) was published online in January 2017. This event, and the follow-up work, provided a fruitful platform for discussion on the issues surrounding the conduct of referendums across a range of stakeholders.
- 2.12 Following on from this seminar, we have been involved in regular meetings with relevant regulatory bodies and broadcasting representatives to discuss how referendums can be conducted in a way in which fosters public trust. We will continue to engage in this issue in the year ahead.

## 'Fake News'

- 2.13 The Committee is concerned with upholding the [Nolan Principles](#) across public life. These principles include integrity, honesty and leadership. As such, the Committee has been paying close attention to the developments in 'fake news'.
- 2.14 In March 2017, we [made a submission](#) to the House of Commons [Culture, Media and Sport Select Committee](#)'s inquiry into the impact of 'fake news' on modern democracy. In the submission we expressed our concern that if the publication of 'fake news' is tolerated to the extent that it became commonplace, there would inevitably be grave consequences for public attitudes, democratic processes and for the conduct of public life.

2.15 This submission was published alongside a [blog](#) by Committee member Richard Thomas, which discussed whether ‘fake news’ was having a negative impact on public trust in politics and political institutions.

## Party Funding

2.16 The Committee has maintained a long-standing interest in the subject of party funding and our 2011 report on party funding came to prominence again in 2016 when the House of Lords appointed a [Select Committee](#) to consider the impact of clauses 10 and 11 of the Trade Union Bill in relation to our 2011 report: [Political Party Finance: Ending the Big Donor Culture](#).

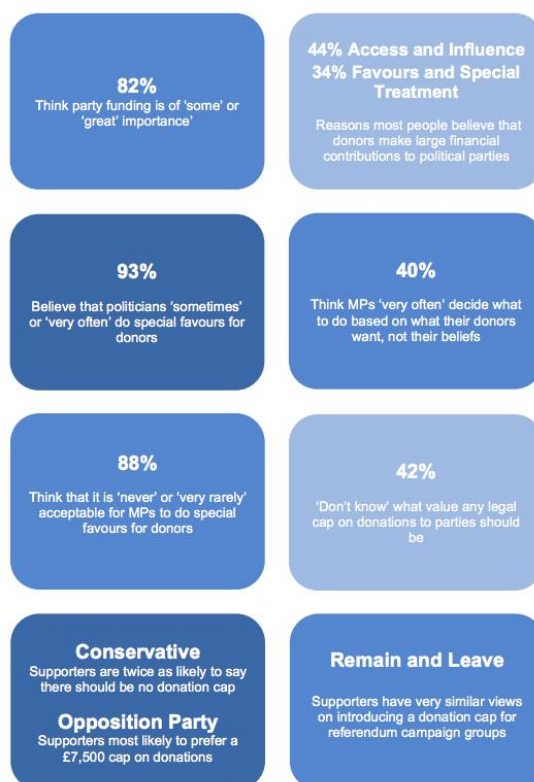
2.17 In February 2016, our Chair, Lord Bew, gave [oral evidence](#) to this Select Committee, at which he emphasised the changes in the landscape of party funding in Britain and committed to undertake further work on this topic.

2.18 Accordingly, in August 2016, the Committee published [research by Dr Michael Pinto-Duschinsky](#) which was commissioned by the Committee and updated his 2011 analysis of British party and parliamentary candidate expenditure and funding. This analysis provided an insight into the changing structure of British party funding over the past five years.

2.19 To coincide with the publication of that research, the Committee wrote to the [leaders](#) of the major political parties in Great Britain to encourage the exploration of a package of ‘small reforms’ which could gain cross-party consensus, to try to build public confidence in the integrity of the funding of political parties.

2.20 In September 2016, we published [research on public attitudes to party funding](#) by Dee Goddard which was commissioned by the Committee. This analysis of data from the British Election Study suggests that the public thinks that the issue of party funding is important, but they are much less clear about what should be done about this.

2.21 Lord Bew presented both of these pieces of research in the House of Lords in [November 2016](#). In March 2017, Lord Bew also spoke in the [Second Reading](#) on Lord Tyler’s Private Member’s Bill on party funding and expenditure. Lord Bew raised the issues of third party funding, how developments in social media campaigning are impacting on party funding and spending patterns, as well as the lack of transparency in the funding of parties in Northern Ireland.



## Local Government Standards

2.22 As detailed in the 2015-16 Forward Plan, the Committee maintains a watching brief on local government standards, and regularly receives correspondence on the issue. We have begun to

engage with key stakeholders in identifying areas of concern to the Committee surrounding the conduct of elected and co-opted local authority members.

2.23 In March 2017 the Committee [submitted evidence](#) to the Commons [Communities and Local Government Select Committee](#) on local government scrutiny. In this submission we drew attention to the findings from our 2015 report [Tone from the top - leadership, ethics and accountability in policing](#).

2.24 This submission set out how accountability is an essential element in creating a culture where high standards of behaviour are the norm. In particular, effective, independent scrutiny is required in between the four-yearly election cycle to maintain accountability. We encourage the new Communities and Local Government Select Committee to take up this issue in the new Parliament.

2.25 In our 2013 report [Standards Matter](#), we outlined our concerns at the time about the issues that may arise in local government standards following the Localism Act of 2011:

‘The new, slimmed down arrangements have yet to prove themselves sufficient for their purpose. We have considerable doubt that they will succeed in doing so and intend to monitor the situation closely’.

2.26 The Committee intends to undertake a review of local government standards during 2017-18. Further details regarding this are set out in the 2017-18 Forward Plan (p. 19).

## **Ethical Standards for Providers of Public Services**

2.27 In [2013](#) our remit was extended to examine standards of conduct of ‘all those involved in the delivery of public services, not solely those appointed or elected to public office.’ As part of this remit, the Committee published a report in 2014 entitled [Ethical standards for providers of public services](#), which made a number of recommendations to Government to ensure that proportionate ethical standards are made explicit in commissioning, contracting and monitoring arrangements for all those delivering public services.

2.28 In 2015, the Committee published [online guidance](#) addressed to providers of public services – whether outsourced or in-house – to promote high ethical standards. This guidance included practical examples and case studies for service providers.

2.29 Three years on from the Committee’s original research phase on this subject, we decided to undertake some [follow-up research](#). The aim of this follow-up work is to examine whether there have been changes in how providers uphold ethical standards since our 2014 report, and assess how providers have used our guidance. We will also be looking at how Government has responded to our recommendations for transparent commissioning based on ethical expectations.

2.30 Sheila Drew Smith, the lead Committee member on this work, delivered a speech to the [CIPFA Annual Governance and Counter Fraud Summit](#) in October 2016. In the speech we emphasised the importance of upholding the Seven Principles to promote public trust and demonstrate a commitment to good governance.

2.31 In January 2017, we wrote to the [Public Accounts Select Committee](#) to draw their attention to our 2014 report and 2015 guidance when considering evidence for their inquiry into the Crown Commercial Service. During 2017, the Committee has undertaken a number of interviews with relevant organisations, and we will publish our findings in a short report later in 2017.

## **MPs' Outside Interests**

2.32 After maintaining a watching brief on matters surrounding parliamentary standards for many years, in March 2017 the Committee launched a short review on the subject of MPs' outside interests.

2.33 The Committee last looked at this issue as part of its inquiry into [MPs' expenses](#) in 2009 and recommended that:

- MPs should remain free to undertake some paid activity outside the House of Commons, provided it is kept within reasonable limits and there is transparency about the nature of the activity and the amount of time spent on it;
- Consideration should be given to ways of increasing the accessibility and usability of the Register of Members' Financial Interests;
- MPs should be required to register positions of responsibility in voluntary or charitable organisations, even if unpaid, together with an indication of the amount of time spent on them; and
- All candidates at parliamentary elections should publish, at nomination, a register of interests including the existence of other paid jobs and whether they intend to continue to hold them, if elected.

2.34 The Committee decided to make a [further submission](#) on 'reasonable limits' for outside interests to the [Commons Committee on Standards](#), which holds responsibility for reviewing the Code of Conduct for MPs. We had previously given [oral evidence](#) to the [Parliamentary Commissioner for Standards'](#) review of the Code in March 2016. In January 2017 we followed this with a submission of [written evidence](#), which included the recommendation that a rule should be introduced which states that outside employment should not conflict with responsibilities under the Code of Conduct.

2.35 The work programme for this report has been delayed by the 2017 General Election, and the pre-election period [restrictions](#) for public bodies. We will hold a seminar to discuss the themes surrounding on MPs' outside interests in September, and report on this subject in Autumn 2017.

## **MPs' Business Costs and Expenses**

2.36 Further to our review of MPs' outside interests, the Committee maintains a keen interest in parliamentary standards more broadly. As part of this, in October 2016 the Committee [submitted evidence](#) to the [Independent Parliamentary Standards Authority's](#) (IPSA) review of the MPs' Scheme of Business Costs and Expenses.

2.37 This submission focused on four key areas:

- The fundamental principles of the scheme;
- Employment of connected parties and financial support to MPs' families;
- The boundary between parliamentary and party political activity; and
- Questions about IPSA's publication policy.

2.38 Political members of the Committee were advised to abstain from contributing to this submission.

2.39 The [revised scheme](#) was published in March 2017 and the Committee [welcomed](#) in particular IPSA's decision to end payment to new 'connected parties'.

## Induction for MPs

2.40 In the Committee's [first report](#) Lord Nolan wrote:

'More needs to be done to promote and reinforce standards of conduct in public bodies, in particular through guidance and training, including induction training'

2.41 The Committee has long been a strong advocate of induction training on ethical standards for public office holders. As such, we have been regularly involved in ethical induction sessions for parliamentarians. These have included the induction of 93% of the new MPs elected in 2015, and new Peers appointed in 2016.

2.42 Following the successes in the turnout and response to these induction events, most recently we were involved in the induction of the 99 new MPs elected in 2017. We emphasised to new members the importance of testing all assumptions and behaviour against the [Seven Principles of Public Life](#) and encouraged the new MPs to seek advice on ethical standards issues.

## House of Lords

2.43 In December 2016, we [submitted evidence](#) to the [Public Administration and Constitutional Affairs Committee](#)'s inquiry into the House of Lords.

2.44 In the submission, we sought to demonstrate how the behaviour and nature of both Houses of Parliament can have a cumulative effect on the public's perception of standards in public life. In particular, the Committee emphasised that the public's perception of the way Peers are appointed could tarnish the reputation of the House and lead to concern about the cost and function of the second chamber. We also outlined the importance of the House of Lords' Code of Conduct, and the need for the ethical induction and training for everyone in public life.

## Public Appointments

2.45 The Committee's first report under Lord Nolan made recommendations to guard against patronage in public appointments and recommended the creation of an independent Commissioner to oversee a fair and open appointment process for these posts. Following the 2016 Grimstone [Review of the Public Appointments Process](#), the Committee expressed some [concern](#) about the cumulative impact of the package of proposed reforms. In 2016 the



Government published its [new governance code for public appointments](#) which took effect on 1 January 2017.

2.46 In March 2017, Peter Riddell, the [Commissioner for Public Appointments](#) (appointed in April 2016) gave a presentation to the Committee. While we were pleased to note that the Commissioner secured some important changes to the rules on public appointments during his discussions with the Government, we believe the new regime will require continued monitoring and review.

## 3. Representation, Speeches and Communication 2016-17

- 3.1 The Committee continues to maintain an international profile in the field of standards promotion by exemplifying an effective principles-based approach to standards in public life. As has been the case in previous years, the Committee has found that the UK has a high international reputation in such matters and many other countries wish to learn from our experience. The Committee will continue to host international delegations, visiting civil servants, scholars and students to explain how the standards framework operates in the UK. The Committee will also continue to contribute to the research base on standards, trust and compliance, both by working with national and international institutions and scholars, and by conducting in-house research.
- 3.2 Over the course of the year, the Committee's Chair, members and Secretariat have spoken at a number of events on standards issues, promoting the work of the Committee and the importance of the Seven Principles of Public Life and providing other examples of best practice, including:
- 15/09/2016 - Cayman Island Government Delegation
  - 04/10/2016 - CIPFA Governance Summit
  - 18/10/2016 - General Pharmaceutical Council Roundtable
  - 16/11/2016 - Commonwealth Members Delegation
  - 06/12/2016 - Pacific Alliance Delegation
  - 02/02/2017 - Mozambican Parliamentary Delegation
  - 28/06/2017 - Group of States against Corruption (GRECO Council of Europe)
- 3.3 The Committee has also been proactive in promoting the Seven Principles of Public Life through responses to a number of consultations, including:
- [September 2016](#): Public Administration and Constitutional Affairs Committee, *Lessons Learned from the EU Referendum*
  - [October 2016](#): Independent Parliamentary Standards Authority, *Review of the MPs' Scheme of Business Costs, Expenses and Publication Policy*
  - [November 2016](#): Parliamentary Commissioner for Standards, *Review of the Code of Conduct and Guide to the Rules*
  - [December 2016](#): Public Administration and Constitutional Affairs Committee, *The House of Lords: An effective second chamber?*
  - [January 2017](#): Public Accounts Committee, *Inquiry into the Crown Commercial Service*
  - [March 2017](#): Culture, Media and Sport Select Committee, *Inquiry into 'Fake News'*
  - [March 2017](#): Communities and Local Government Select Committee, *Inquiry into Overview and Scrutiny in Local Government*

- 3.4 The Secretariat regularly receives and responds to public queries and correspondence on standards issues, including requests under the Freedom of Information Act 2000.

### **Online Communications**

- 3.5 As set out in our Strategic Plan, we will continue to ensure that we communicate our work effectively, making it visible everyone. Our [website](#), [blogsite](#) and [Twitter](#) are key ways in which we engage with stakeholders and members of the public.
- 3.6 Between 1 August 2016 and 30 May 2016, the Committee's [website](#) received 106,525 visitors, and a total of 143,594 page views. The [Seven Principles of Public Life](#) page was viewed 54,625 times over this period.
- 3.7 We also have an active [blogsite](#), and this year we have published 11 blogs. These provide a format for shorter pieces of comment and analysis on areas of particular interest to the Committee. Between 1 August 2016 and 25 May 2017, the blog homepage received 1,239 page views, and in total all of the blog posts received 3,941 page views.
- 3.8 We will contribute to relevant policy debates where we can add an informed and distinctive voice, and we will engage in constructive dialogue with key stakeholders including ethical regulators.

## 4. Forward Plan 2017-18

- 4.1 As set out in the Strategic Plan, over the upcoming year we will work proactively on original research and reports, and reactively as standards issues arise in areas where the Committee maintains a watching brief.

### Research and Reports

- 4.2 The areas in which we expect to act proactively in the coming year are:

#### MPs' Outside Interests

- 4.3 Following a high number of detailed and thoughtful submissions from members of the public and other interested stakeholders, we will be publishing the findings of our review on MPs' outside interests in late 2017.
- 4.4 The report on MPs' outside interests will be made publicly available on our [website](#), and we will be sending a copy of the report to the [Parliamentary Commissioner for Standards](#) and the [Commons Committee on Standards](#). These bodies are responsible for reviewing the Code of Conduct for MPs.

#### Local Government Standards

- 4.5 The Committee maintains a longstanding interest in local government standards, and regularly receives correspondence from members of the public expressing their concern about this issue. We were actively conducting research and engaging with partners on this subject throughout 2016-17, and we intend to undertake a review of local government standards during 2017-18.
- 4.6 This review will be based around a consultation that will be launched in early 2018. Based on the submissions to this review and meetings with key stakeholders, we intend to publish our findings and recommendations in 2018.

#### Public Service Providers

- 4.7 During 2016-17, we have been undertaking research to follow-up on our 2014 report and 2015 guidance on [ethical standards for providers of public services](#). This follow-up research has included meetings with relevant companies, government organisations and stakeholders, and a seminar with organisations representing service providers.
- 4.8 We will be publishing the findings from this follow-up research in late 2017, and will use this opportunity to raise awareness about the importance of ethical standards issues in the delivery of public services across all providers.

#### Impact of Social Media

- 4.9 Recognising the rapidly changing and developing nature of social and political communication and media in recent years, throughout 2017-18 we will look for opportunities to work collaboratively with partners to assess how these developments are shaping public life.

- 4.10 Engaging with others in this area will enable us to develop an understanding of how the changing nature of communications may influence social relations, and consider how this may influence how the Seven Principles are upheld across public life.

### **Watching Brief**

- 4.11 We are committed to keeping abreast of standards issues before and while they are emerging, and respond as appropriate when standards issues arise. We are open to new ideas and suggestions on areas within the Committee's remit which we may seek to consider in the future. In particular, we will keep a watching brief on the following issues:

#### **Party Funding**

- 4.12 The Committee has been actively involved in debates on the funding of political parties, and will continue to remain engaged on this issue throughout 2017-18. In particular, we seek to emphasise the importance of pursuing a package of commonly-agreed small reforms, and we will be working to encourage the political parties to come together to reach some agreement on this.

#### **Academies**

- 4.13 Following our research on public service providers, we are increasingly aware of the issues surrounding conflicts of interests and good governance in academies. Therefore, we will be keeping a watching brief on this issue over the next year.

#### **National Health Service**

- 4.14 We will also be keeping a watching brief on the NHS, where we are aware of standards issues in terms of commissioning and good governance. Building on our work on providers of public services, we will be monitoring standards issues in the NHS over the coming year.

#### **Conduct of Referendums**

- 4.15 Following our seminar on the conduct of referendums in 2016, we will continue to keep a watching brief on how standards relating to the conduct of referendums and their campaigns may be improved in any future referendums.
- 4.16 We will be keeping abreast of issues in this area and working with our stakeholders to see what can be done in terms of ensuring that the Seven Principles are upheld, particularly with regard ensuring honest and truthful political debate.

## 5. Annex A: About the Committee

### Our remit

**The Committee on Standards in Public Life monitors, reports and makes recommendations on all issues relating to standards in public life.**

5.1 The Committee has always had a broad and wide-ranging remit. On 25 October 1994, the then Prime Minister, the Rt. Hon. John Major, announced the establishment of the Committee on Standards in Public Life with the following terms of reference:

'To examine current concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life'.

'For these purposes, public office should include: Ministers, civil servants and advisers; Members of Parliament and UK Members of the European Parliament; Members and senior officers of all non-departmental public bodies and of national health service bodies; non-ministerial office holders; members and other senior officers of other bodies discharging publicly-funded functions; and elected members and senior officers of local authorities'.<sup>1</sup>

5.2 On 12 November 1997, the Committee's terms of reference were extended by the then Prime Minister, the Rt. Hon. Tony Blair:

'To review issues in relation to the funding of political parties, and to make recommendations as to any changes in present arrangements'.<sup>2</sup>

5.3 On 5 February 2013, the Minister for the Cabinet Office clarified the Committee's terms of reference in two respects:

'...in future the Committee should not inquire into matters relating to the devolved legislatures and governments except with the agreement of those bodies.'

'...the Committee's remit to examine 'standards of conduct of all holders of public office' [encompasses] all those involved in the delivery of public services, not solely those appointed or elected to public office'.<sup>3</sup>

5.4 Our remit does not extend to individual complaints and we have no powers to investigate individual allegations of misconduct. That is the role of the relevant regulator.

### Our status

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<sup>1</sup> Hansard (HC) 25 October 1994, col 758

<sup>2</sup> Hansard (HC) 12 November 1997, col 899

<sup>3</sup> Hansard (HC) 5 February 2013, col 7WS

5.5 The Committee is an independent, advisory non-departmental public body (NDPB) established in 1994. The Committee is not founded in statute and has no legal powers to compel witnesses to provide evidence or to enforce its recommendations.

5.6 Our Secretariat and budget are provided by the Cabinet Office.

### **Our independence**

5.7 To fulfil our remit effectively, it is important that we remain robustly independent of the Government that appoints us. By convention, the Committee consults the Prime Minister before starting an inquiry, and can be asked by the Prime Minister to review a specific subject. But the decision on whether to proceed is our own.

### **Our reports**

5.8 Committee reports take different forms; they may be in the form of a Command Paper, laid before Parliament, or they may be shorter reports or guidance published on our website.

5.9 The Committee will convene seminars, roundtables, public meetings and other forms of evidence gathering on issues as appropriate.

## 6. Annex B: Our Membership

### Our members

- 6.1 A majority of members, including the Chair, are independent and appointed following an open competition regulated by the Office of the Commissioner for Public Appointments (OCPA). Three political members are nominated by the Conservative, Labour and Liberal Democrat political parties.
- 6.2 Political Committee members are appointed for a three-year term, with the possibility of reappointment. The current four independent members were recruited for a five-year non-renewable term. The Chair is also appointed for a single non-renewable five-year term.
- 6.3 The Prime Minister formally appoints all Committee members.
- 6.4 The Chair is appointed on the basis that they will on average spend two to three days a month on Committee business. Our members are expected to commit around two days a month, for which they are remunerated on the basis of a daily fee (political members do not receive fees). Both the Chair and other members necessarily commit more days as appropriate when the Committee is engaged in an inquiry.
- 6.5 Committee members are appraised annually.

### Chair: Lord Bew

**Appointed:** 1 September 2013 **Term ends:** 31 August 2018



Paul Bew joined Queen's University Belfast in 1979 and was made Professor of Irish Politics in 1991. He acted as historical adviser to the Bloody Sunday Inquiry between 1998 and 2001 and was appointed as a non-party-political peer by the independent House of Lords Appointments Commission in February 2007 following his contributions to the Good Friday Agreement. In 2007 he served on the Local London Authority Bill Select Committee and in 2011 served on the Joint Committee on the Defamation Bill, which addressed key issues of academic freedom. He chaired the independent review of Key Stage 2 (SATs) provision in England which reported in 2011 and was accepted by the Government. He also served on the Joint Committee on Parliamentary Privilege which produced its report in July 2013. Lord Bew is a Visiting Professor at King's College London. Among Lord Bew's many publications is the Ireland volume of the Oxford History of Modern Europe.



## Members active in 2016-2017

### Lord Alderdice

**Appointed:** 1 September 2010 **Reappointed:** 1 September 2013 **Term ended:** 31 August 2016



John Alderdice is a fellow of the Royal College of Psychiatrists. He led the Alliance Party and was President of the European Liberal, Democrat and Reform Party and Vice President of Liberal International. He was one of the negotiators of the Good Friday Agreement. Raised to the peerage on October 1996, he took his seat on the Liberal Democrat benches in the House of Lords on 5 November that year. In 1998 Lord Alderdice was elected member for Belfast East and appointed Speaker of the Northern Ireland Assembly. In 2004 he was appointed as a Commissioner for the newly established Independent Monitoring Commission. He is currently a Senior Research Fellow and Director of the Centre for the Resolution of Intractable Conflict at Harris Manchester College, Oxford, and a Clinical Professor in the Department of Psychology at the University of Maryland. He is also the Chairman and a Director of the Centre for Democracy and Peace Building (based in Belfast) and President of ARTIS (Europe) Ltd, a research and risk analysis company.

### Rt Hon Dame Margaret Beckett DBE MP

**Appointed:** 1 November 2010 **Reappointed:** 1 November 2013, 1 November 2016 **Term ends:** 31 October 2019



Margaret Beckett has been Labour MP for Derby South since 1983. She was Secretary of State for Trade and Industry 1997-1998, President of the Council and Leader of the House of Commons 1998-2001, Secretary of State for Environment, Food and Rural Affairs 2001-2006, Secretary of State for Foreign Affairs 2006-2007, and Minister for Housing and Planning 2008-2009. She has also been Chair of the Intelligence and Security Committee. Margaret was a member of the Labour National Executive Committee (1980-1981, 2012-2015) and was Chair of the Joint Committee on National Security Strategy when Parliament was prorogued in 2017.

## Patricia Moberly (deceased)

**Appointed:** 17 May 2012

**Term ended:** 1 September 2016



Patricia Moberly was Chair of Guy's and St Thomas' NHS Foundation Trust from 1999 to 2011. During her previous career as a schoolteacher, she worked in secondary schools in London and Zambia, and was Head of the Sixth Form at Pimlico School from 1985 to 1998. She served on the National Executive of the Anti-Apartheid Movement, was a member of Area and District Health Authorities and of the General Medical Council, a local councillor and a magistrate.

Patricia worked as a prison visitor, and served on an advisory panel to the Secretary of State for Transport on drink and drug driving. Patricia sadly passed away in September 2016.

## Monisha Shah

**Appointed:** 1 December 2015

**Term ends:** 30 November 2020



Monisha is Chair of Rose Bruford College of Theatre and Performance, non-executive director of Imagen Ltd, Cambridge, and independent non-executive director of Next Mediaworks Limited, India. Monisha served as Trustee of Tate until July 2015. She was also Tate's Liaison Trustee to the National Gallery Board from June 2013. Monisha has served on several panels as an Independent Member, including Triennial Reviews of the British Council and the British Film Institute,

and the appointment panel for the Chair of the BFI. Monisha's last executive role was with BBC Worldwide, where she worked for 10 years. Monisha is a graduate of the University of Bombay, India; she also has a post-graduate degree from SOAS, and an executive MBA from the London Business School. She was elected Young Global Leader by the World Economic Forum in February 2009.

## Sheila Drew Smith OBE<sup>4</sup>

**Appointed:** 17 May 2012

**Term ends:** 1 February 2018



Sheila Drew Smith OBE is an economist by background. She was an independent assessor for public appointments (OCPA) from 1997 to 2012 and undertakes selection work in the private sector. She is the Chair of the National Approved Letting Scheme and a committee member for Safe Agents. She has been a member of various appointment panels, including the Bar Standards Board, Network Rail, RICS, and a number of other regulatory bodies. In 2015 Sheila conducted an independent review of the governance arrangements of the Independent Police Complaints Commission. She was a board member of the Housing Corporation between 2002 and 2008, the Audit Commission between 2004 and 2010, and the Infrastructure Planning Commission and the Office of the Regulator of Social Housing until March 2012. Prior to this she was a partner in the predecessor firms of PricewaterhouseCoopers working in the UK and internationally. Her earlier career was in the civil service.

## Richard Thomas CBE

**Appointed:** 17 May 2012

**Term ended:** 16 May 2017



Richard Thomas CBE LLD was the Information Commissioner from November from 2002 to 2009 and the Chairman of the Administrative Justice and Tribunals Council (AJTC) from 2009 to 2013. He is a Strategy Adviser to the Centre for Information Policy Leadership and has served as Deputy Chairman of the Consumers Association, as Trustee of the Whitehall and Industry Group, and as Board Member of the International Association of Privacy Professionals (IAPP). During his earlier career his roles included Director of Consumer Affairs at the Office of Fair Trading from 1986 to 1992 and Director of Public Policy at Clifford Chance, the international law firm, from 1992 to 2002.

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<sup>4</sup> Sheila Drew Smith was exceptionally reappointed in May 2017 for nine months due to the need for continuity in Committee membership, and to complete the follow-up work to ethical standards for public service providers.

## **Dame Angela Watkinson DBE**

**Appointed:** 30 November 2012

**Term ended:** 27 April 2017



After an early career in banking and a family career break, Dame Angela Watkinson worked for several local authorities in special education and central services. She served as a councillor for both the London Borough of Havering and an Essex County Council. Angela was elected as Conservative MP for Upminster in 2001 and continued to serve her enlarged constituency of Hornchurch and Upminster until standing down in the 2017 General Election. She

spent most of her Parliamentary Career as a Whip and Lord Commissioner to the Treasury.

## **Members appointed in 2016-17**

### **Dr Jane Martin CBE**

**Appointed:** 1 January 2017

**Term ends:** 31 December 2021



Dr Jane Martin CBE took up her post from 1 January 2017 for a five-year term. She has been Chair of the Commission for Local Administration in England since April 2012. She was appointed to the post of Local Government Ombudsman (LGO) and Vice-chair of the Commission for Local Administration in England in January 2010. Her seven-year term of office at the LGO ended in January 2017.

Jane has extensive knowledge and experience of public service delivery. She has worked in local authorities across England as a consultant for the Improvement and Development Agency for Local Government, and was the first Executive Director of the Centre for Public Scrutiny. Prior to joining the LGO, Jane was Deputy Chief Executive at the Local Better Regulation Office and a Non-Executive Director of Coventry Primary Care Trust.

### **Jane Ramsey**

**Appointed:** 1 September 2016

**Term ends:** 31 August 2021



Jane Ramsey took up her post on the Committee on Standards in Public Life on 1 September 2016 for a five-year term. Jane is currently also Chair of Young Epilepsy and Chair of the Children and Young People Steering Group for Transforming Care, NHS England.

Jane was previously Chair of Cambridge University Hospitals NHS Foundation Trust. She joined the Trust in November 2012 from University College London Hospitals (UCLH) where she was Vice Chair. She has previously served on the Council of the Royal Pharmaceutical Society, the Department of Health Audit and Risk Committee, chaired a local

Housing Association and has been Head of Law for two London boroughs. She also served on the Independent Commission into regeneration and wealth creation in non-Metropolitan areas established by the Local Government Association.

## **Rt Hon Lord Stunell OBE**

**Appointed:** 1 December 2016

**Term ends:** 30 November 2019



The Rt Hon Lord Stunell OBE is a Liberal Democrat Life Peer and joined the House of Lords in October 2015. On 1 December 2016 he replaced Lord Alderdice on the Committee who previously served as the Liberal Democrat member.

Lord Stunell previously sat in the House of Commons as MP for Hazel Grove from 1997 to 2015. He was Parliamentary Under Secretary of State for Communities and Local Government from 2010 to 2012 in the coalition government. Lord Stunell has extensive experience within the Liberal Democrat party, including as Shadow Secretary of State for Communities and Local Government (2006 to 2007), Shadow Secretary of State for the Office of the Deputy Prime Minister (2006 to 2006) and Liberal Democrat Commons Chief Whip (2001 to 2006). He served as a local government councillor for 25 years from 1979.

## **Research Advisory Board**

6.6 The Committee's work is supported by a Research Advisory Board. The current Board members are:

- **Professor Cees van der Eijk**, Professor of Social Science Research Methods and Director of Social Sciences Methods and Data Institute, University of Nottingham;
- **Dr Jean Martin**, Formerly Office for National Statistics and University of Oxford;
- **Professor Mark Philp** (Chair), Professor, Director of the European History Research Centre and Director of Research, Department of History, University of Warwick; and
- **Dr Wendy Sykes**, Director of Independent Social Research Ltd and Member of the Social Research Association's implementation group on commissioning social research.

6.7 The Committee also part-funds Esmeralda Bon, a PhD student at the University of Nottingham, through an ESRC CASE scholarship.

## **Members' attendance (1 April 2016 – 31 May 2017)**

6.8 The table below shows the total number of meetings that each member of the Committee could have attended and the number actually attended between 1 April 2016 and 31 May 2017.

<b>Name</b>	<b>Possible meetings</b>	<b>Meetings attended</b>
<b>Lord Bew</b>	<b>13</b>	<b>12</b>
<b>Lord Alderdice</b>	<b>4</b>	<b>4</b>
<b>Rt Hon Dame Margaret Beckett DBE MP</b>	<b>13</b>	<b>11</b>
<b>Patricia Moberly (deceased)</b>	<b>4</b>	<b>3</b>
<b>Richard Thomas CBE</b>	<b>13</b>	<b>11</b>
<b>Jane Ramsey</b>	<b>8</b>	<b>8</b>
<b>Sheila Drew Smith OBE</b>	<b>13</b>	<b>12</b>
<b>Dame Angela Watkinson DBE <sup>5</sup></b>	<b>12</b>	<b>2</b>
<b>Dr Jane Martin CBE</b>	<b>5</b>	<b>4</b>
<b>Monisha Shah</b>	<b>13</b>	<b>11</b>
<b>Rt Hon Lord Stunell OBE</b>	<b>6</b>	<b>6</b>

6.9 In addition to monthly Committee meetings, members attend a variety of other meetings and briefings in relation to the business of the Committee.

## **Remuneration**

6.10 Independent Committee members who do not already receive a salary from public funds for the days in question may claim £240 for each day they work on committee business. The Chair is paid on the basis of a non-pensionable salary of £500 per day, with the expectation that they should commit an average of 2–3 days a month, although this can increase significantly during Committee inquiries. All independent members are reimbursed for expenses necessarily incurred.

6.11 For the period 1 April 2016 to 1 March 2017, committee members other than the Chair claimed a total of £26,306 in fees and expenses. In total, the Chair claimed £26,090 in fees and expenses.

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<sup>5</sup> Dame Angela was on a leave of absence from the Committee between May 2016 and March 2017.

## 7. Annex C: Triennial Review 2013

- 7.1 On 18 September 2012, the Minister for the Cabinet Office announced the Triennial Review of the Committee on Standards in Public Life. The Review confirmed the continuing need for the Committee as a non-departmental public body, but suggested a number of changes to the remit of the Committee and its way of working.

### **Main recommendations of the Triennial Review**

- 7.2 The CSPL should be more strategic by reviewing systems, and should avoid overlapping with the work of sectoral regulators.
- 7.3 The Committee should be bolder in picking topics, looking ahead to emerging problems, rather than reacting to scandals and allegations of ethical abuses which have already emerged.
- 7.4 The Committee should keep a watching brief on broader ethical issues and maintain oversight, bringing together regulators and interested parties. But it should not either comment on the day-to-day work of regulators or see one of its objectives as improving public confidence or trust in public bodies or holders of public office.
- 7.5 The terms of reference of the Committee about devolved issues need to be clarified to say that the we will not investigate ethical matters involving the devolved bodies unless asked to do so.
- 7.6 The remit of the Committee needs to be reviewed to define more clearly the scope of the term 'holders of public office' in the light of the changing role of the state and its relations with outside organisations.
- 7.7 The Committee's working methods need to be revised, to sharpen them up, to adjust to changes in the media, and to operate within a reduced budget, as has begun to happen recently. Consequently, the biennial research into public attitudes should cease and public hearings should be reduced sharply and used sparingly.

### **Impact of the Triennial Review and the Committee's Response**

- 7.8 The Triennial Review's recommendations sharply altered the Committee's pattern of working, its resources and gathering of direct evidence. In particular, the Review suggested that the biennial surveys should cease, but that savings as a result of no longer undertaking biennial surveys 'should not be used to reduce the Committee's budget further'. And 'resources saved within the existing budget from abandoning opinion research and hearings in the devolved capitals could be shifted to fact-finding'.
- 7.9 In practice, the intention of using the saving of the surveys to boost the Secretariat did not happen, and the Committee in 2016/17 operated with a budget at around 60% less than that of 2013. However, the Committee took these recommendations on board and has moved forward in accordance with the Review's conclusions.
- 7.10 When considering which inquiry we should undertake, we consider the emerging political and social landscape and then take a reasoned, consensus view on the evidence available at the time. Since the publication of the report of the Review, we have produced reports on

[Strengthening Transparency Around Lobbying](#); [Ethical Standards for Providers of Public Services](#); [Ethics in Practice: Promoting Ethical Standards in Public Life](#); [Tone from the Top – leadership, ethics and accountability in policing](#); and most recently in 2016, [Striking the Balance: Upholding the Seven Principles in Regulation](#).

- 7.11 We continue to maintain a watching brief on ethical standards across the public sector, but we refrain from commenting on the day-to-day work of regulators unless the circumstances are such where there is value in our intervening. We also regularly produce blogs helping to communicate our views.
- 7.12 In accordance with the Triennial Review’s recommendation, we have ceased our biennial research programme into public attitudes toward conduct in public life, saving some £50,000 per survey. The last report based on our survey of public attitudes toward conduct in public life was undertaken in 2012. The Triennial Review also stated that ‘the end of the biennial surveys should not prevent the committee from commissioning other external research where it cannot do the work itself’. We do therefore, look to work with other partners where we can, for example, in March 2015 we [published a survey](#) using data collected as part of the Hansard Society’s Audit of Political Engagement, and have submitted research questions as part of panel surveys conducted by others. For example, the Committee has regularly inputted questions to the British Election Study on public attitudes to party funding.
- 7.13 The Committee accepts that its work cannot be viewed simply in terms of increasing public confidence and trust in public bodies or holders of public office. The Committee’s own research shows that the issue of trust is complex and that headline findings often do not capture the complex relationships that people have with the institutions of the modern state, nor do they reflect the important improvements that have occurred in many areas of the public sector. As the Triennial Review recognised, valuing ethical standards is important for good governance even where public trust is unlikely to be directly affected by such matters. The Committee believes that even though levels of trust among the general public may have declined over the long term, our work and successive reforms have set important benchmarks across public life.
- 7.14 In accordance with the Triennial Review’s recommendation our remit now extends only to England. We no longer review ethical standards in the Devolved Administrations, and will not investigate ethical matters involving the devolved bodies unless asked to do so. Should we be invited to consider an ethical standards issue in one of the Devolved Administrations, we would have to consider any resourcing issues that would create, given our current budget limitations.
- 7.15 We have addressed the extension of our remit to those providing public services, as evidenced by our 2014 report [Ethical Standards for Public Service Providers](#) and [2015 guidance](#).



## 8. Annex D: Financial Information

<b>Expenditure</b>	<b>2015-2016 (£)</b>	<b>2016-2017 (£)</b>
<b>Staff costs and fees</b>	218,009	197,766
<b>Other running costs</b>	85,423	69,602
<b>Total net expenditure</b>	303,432	267,368

- 8.1 As an advisory Non-Departmental Public Body (NDPB), the Committee receives its delegated budget from the Cabinet Office. Day-to-day responsibility for financial controls and budgetary mechanisms are delegated to the Secretary of the Committee including responsibility for certain levels of authorisation and methods of control. Creation of all new posts and the use of external resources are subject to the approval of the Cabinet Office Approvals Board.
- 8.2 The Secretary and the rest of the Secretariat are permanent civil servants employed by the Cabinet Office or on secondment from other departments.
- 8.3 Whilst the core Secretariat has been reduced to four, the Secretary can and has used the budget to buy-in additional time limited resource to service specific inquiries and reviews. This level of resource necessarily constrains the choices the Committee makes in relation to its work programme and, together with the time taken to secure approvals, may affect its ability to respond quickly and comprehensively to standards issues as they emerge.
- 8.4 The Secretary to the Committee is responsible for setting out the outputs and outcomes which the Committee plans to deliver with the resources for which they have delegated authority, and for reporting regularly on resource usage and success in delivering those plans. The Secretary is also responsible for maintaining a robust system of internal control over the resources for which she has delegated authority, and for providing the accounting officer with assurances that those controls are effective.
- 8.5 For the financial year 2016-17, the Committee's budget was £283,682, with an underspend of £16,314. This underspend was due Secretarial staff vacancies and a delayed work programme due to the 2017 pre-election period.

## 9. Annex E: Reports and Publications

9.1 The Committee has published the following reports:

- Striking the Balance - Upholding the Seven Principles of Public Life in Regulation - (Cm 9327) (September 2016)
- Tone from the top - leadership ethics and accountability in policing (Cm 9057) (June 2015)
- Ethics in Practice: Promoting Ethical Standards in Public Life (July 2014)
- Ethical standards for providers of public services (June 2014)
- Strengthening transparency around lobbying (November 2013)
- Standards matter: A review of best practice in promoting good behaviour in public life (Cm 8519) (January 2013)
- Political Party Finance - Ending the big donor culture (Cm 8208) (November 2011)
- MPs' Expenses and Allowances: Supporting Parliament, Safeguarding the Taxpayer (Cm7724) (November 2009)
- Review of the Electoral Commission (Cm7006) (January 2007)
- Getting the Balance Right: Implementing Standards of Conduct in Public Life (Cm6407) (January 2005)
- Defining the Boundaries within the Executive: Ministers, Special Advisers and the permanent Civil Service (Cm 5775) (April 2003)
- Standards of Conduct in the House of Commons (Cm 5663) (November 2002)
- The First Seven Reports - A Review of Progress - a stock-take of the action taken on each of the 308 recommendations made in the Committee's seven reports since 1994 (September 2001)
- Standards of Conduct in the House of Lords (Cm 4903) (November 2000)
- Reinforcing Standards (Cm 4557) (January 2000)
- The Funding of Political Parties in the United Kingdom (Cm 4057) (October 1998)
- Review of Standards of Conduct in Executive Non-Departmental Public Bodies (NDPBs), NHS Trusts and Local Public Spending Bodies (November 1997)
- Standards of Conduct in Local Government in England, Scotland and Wales (Cm 3702) (July 1997)
- Local Public Spending Bodies (Second Report (Cm 3270) (June 1996)
- Standards in Public Life (First Report (Cm 2850)) (May 1995)

9.2 Between 2004 and 2012 the Committee also undertook biennial surveys of public attitudes towards conduct in public life. Findings were published in 2004, 2006, 2008, 2011 and 2013

**Standards Matter: Strategic Plan, Annual Report 2016-17 and Forward Plan 2017-18**

**Published by the Committee on Standards in Public Life**

**The Committee on Standards in Public Life**

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**Email: <mailto:public@public-standards.gov.uk>**

**July 2017**

**Ethical Standards and Member Development Committee**

**8 September 2017**

**Allegations Update**

**1. Summary Statement**

1.1 The Ethical Standards and Member Development Committee receives reports from time to time on the number of complaints received in respect of member conduct and the progress and outcome of consideration of these complaints.

1.2 An update will be provided at the meeting.

Further details are attached for your information

**2. Recommendation**

2.1 That details of the number of complaints received in relation to member conduct and the progress and outcome of consideration of these complaints be noted.

**Maria Price**  
**Service Manager – Legal**

### **3. Resource Implications**

- 3.1 There are no resource implications arising directly as a result of this report.

### **4. Legal and Statutory Implications**

- 4.1 The new standards arrangements are set out in chapter 7 of the Localism Act 2011, and in secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosure of Pecuniary Interests) Regulations 2012.

### **5. Implications for the Council's Scorecard Priorities**

- 5.1 There are no implications for the Council's Scorecard priorities arising directly from this report. The increased awareness of the work of the Standards Committee will help promote higher standards by enabling better decision-making.

**Ethical Standards and Member Development Committee**

**8 September 2017**

**Case Summary**

**1. Summary Statement**

- 1.1 Within its terms of reference, the Ethical Standards and Member Development Committee has a duty to promote high ethical standards amongst Members. As well as complying with legislation and guidance, the Committee will need to demonstrate learning from issues arising from local investigations and case law. Furthermore it is advisable for the Committee to be kept informed of any particularly notable cases which are publicised as they may also add to learning at the local level.

**2. Recommendation**

- 2.1 Members are requested to note the contents of the report and the cases at Appendix 1 and to consider any issues for the Council.

**Philip Tart**  
**Interim Monitoring Officer**

**Contact Officer**

Trisha Newton  
Principal Democratic Services Officer  
0121 569 3193

### **3. Strategic Resource Implications**

3.1 There are no resource implications arising from this report.

### **4. Legal and Statutory Implications**

4.1 By considering national cases of significance the Ethical Standards and Member Development Committee will be better informed and placed to discharge its duty to promote high ethical standards.

### **5. Implications for the Council's Scorecard Priorities**

5.1 High standards of conduct are an essential part of good corporate governance and this in turn has a direct relationship with the delivery of high quality services.

### **6. Background Details**

6.1 As well as complying with legislation and guidance, the Ethical Standards and Member Development Committee will need to demonstrate learning from issues arising from local investigations and case law. Further, it would be advisable for the Standards Committee to be kept informed of any particularly notable case law which is publicised as this may also add to learning at the local level. Compliance with the law, decided cases, guidance and good practice will increase the effectiveness of the ethical framework within the authority and minimise the risk of challenge.

### **Councillor suspended over Grenfell ‘hanging’ tweet**

A Solihull councillor has been suspended from his cabinet position after an offensive tweet about Grenfell Tower protesters.

The Council said an investigation would take place after a complaint had been received.

The tweet, replying to an image of Kensington Town Hall protesters posted by a journalist, read: "Lets get ourselves a hangin!"

The tweet came after protests were held as residents demanded support for those affected by the Grenfell Tower fire. The tweet was subsequently deleted and the councillor apologised “unreservedly”.

BBC News, June 2017

### **Councillor sent texts saying she could use position to “shut up” fraud investigators**

A Wirral Councillor who sent texts stating that she could use her position to “shut up” an investigation into alleged fraud has been found to have breached numerous council conduct codes.

The Labour councillor was the subject of an audit investigation by Wirral Council in 2015 regarding a charity she co-chaired.

A report has found her to be in breach of the council’s code of conduct on four counts relating to her behaviour during and around the time of that investigation.

The breaches include “cavalier” comments made on social media, references to confidential matters in the press and her conduct during the latest investigation.

It adds that the councillor “seems quite willing to use her position as councillor to her own benefit when it suits her.”



The report is heavily critical of the councillor's use of social media in general and states she "frequently posted in her public and private capacity and she did not appear to give much consideration to her own view (and that of the council code) that people may not easily distinguish between her actions as a public figure and her actions in a private capacity."

"Her tendency to be cavalier about whether she is acting in a public or private capacity means that she sails dangerously close to the wind at times."

In total, the standards investigation has found the councillor to have breached the council's code of conduct on four occasions - for failing to treat people with respect and for conduct which was contrary to the council's duty to promote and maintain high standards of conduct.

Liverpool Echo, July 2017

### **Councillor suspended after 'calling gay pride marchers paedophiles'**

A north London Labour councillor has been suspended after allegedly posting tweets which criticised gay pride marchers. She accused the marchers of "paedophilia" and defended her tweets when challenged by LGBT activists. She had previously also posted alleged homophobic content on her facebook account.

The councillor has been suspended pending investigation and has since resigned from her political party.

Evening Standard and This Is Local London, July/August 2017