

Standards Working Group

Review of Code of Conduct and Arrangements for Dealing with Standards Allegations

1. Approach

- 1.1 The Council has addressed a number of high profile and significant standards cases recently. The Local Government Association (LGA) has published a revised draft code of conduct for consultation which all Councils are invited to participate in. The revised draft code aims to address a number of recommendations and best practice proposals from the Committee for Standards in Public Life.
- 1.2 This review is timely in that it allows the working group to consider recent and existing conduct related cases and identify important learning points that can inform additional activity, code scope and content, a refresh of the arrangements for dealing with complaints and guidance with a view toward a revised corporate culture, highest standards of Elected Member conduct and avoidance of a recurrence of previous poor behaviours amongst (a small number of) Elected Members.
- 1.3 The working group is also required to consider what other steps the Council should take in discharging its statutory duty under section 27, Localism Act 2011 that impose a duty upon all councils to promote and maintain high standards of conduct amongst its Elected and Co-opted Members.

- 1.4 This note proposes a methodology to assist the working group undertake a review of:

Member Code of Conduct

Areas of Focus:-

- Part I
 - Purpose of Code
 - Definition
 - Application of the Code
- Part II
 - Rules of Conduct
 - Behaviour
 - Registration of interests
 - Declaration of interests at meetings

Arrangements for dealing with standards allegations

Areas of Focus:-

- How to make a complaint
- Complaint process
- Criteria for assessment/progression of complaints
- Guidance on the role and responsibilities of the Independent Person(s)
- Conduct of Investigation
- Evidence of Failure to Comply
- Local Resolution
- Local Hearing
- Action that can be taken by Ethical Standards Committee
- Publication of Investigations
- Access to information during an investigation
- Appeals
- Complaints Form

Duty to Promote and Maintain High Standards of Conduct

Areas of Focus:-

- Scope and understanding
- Defining the standard
- Culture and behaviour change management
- Measuring success in discharging the duty

Proposed Methodology

Phase	Task	Method	Timeline
Insight	Compare and contrast existing code and arrangements with revised LGA code (post consultation) and best practice recommendations from the Committee for Standards in Public Life	Desktop/workshop	End October 2020 (dependent upon LGA timescale)
	Analysis of recommendations and best practice mechanisms from Committee on Standards in Public Life	Desktop	End August 2020
	Collate summary of cases	Desktop	End September 2020
	Analysis of case summaries To include: - what worked well, what did not work/requires improvement - strengths and weaknesses - emerging themes	Desktop/Workshop	October 2020

Phase	Task	Method	Timeline
	Analysis of the effectiveness of the existing code and arrangements for dealing with complaints.		
	<p>Workshop to look at analysis of cases and existing arrangements for dealing with complaints - to pull out the issues and areas for development.</p> <p>Propose session identifying:-</p> <ul style="list-style-type: none"> - current strengths/compliance with best practice - areas for improvement - room to introduce new things – where are the gaps - associated risks of no change/change - what are the outcomes we are looking to achieve 	Workshop	October 2020
	Consultation with all elected members	Workshop, survey	Dependent upon LGA final draft code publication
	Collate data for other authorities – comparison exercise	Desktop	End September 2020

Phase	Task	Method	Timeline
	<p>Visioning Exercise</p> <p>Create a scenario – key questions:</p> <p>What does it look like/how does it feel?</p> <p>What were the key milestones that created the success?</p> <p>What were the key barriers to overcome?</p> <p>Key input to make the review a success?</p>	Workshop	November 2020
Review/ Issues	<ul style="list-style-type: none"> - Understanding the issues. - Evaluation of the issues. - Defining the Outcome. - Where are we – where do we want to be? - Any room for creativity? - Associated costs – is there a less costly approach, e.g. prevention of lengthy delays in process. - Cultural issues – gaps in training/gaps in policies – are policies adequate and cover all current-day issues? 	Workshop	November 2020
Proposals	<ul style="list-style-type: none"> - Informed proposals to address the issues identified. - Look at cultural/behavioural change programme. 		December 2020/January 2021

Phase	Task	Method	Timeline
	- What are the training requirements.		
	Report to Ethical Standards Committee and Member Development Committee – recommendations to full Council		February for March Council

Recommendation:

The Committee is asked to:

1. agree the scope for the review as outlined above;
2. approval the proposed methodology; and
3. authorise the Monitoring Officer to timetable and progress the activities detailed in the agreed methodology as soon as practicably possible.

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