

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

21 September 2018

Local Ethical Framework Developments**1.0 PURPOSE OF REPORT**

- 1.1 To update Members on the development of the ethical framework under the Localism Act 2011.

2.0 BACKGROUND

- 2.1 Members receive a report at each Standards Committee meeting setting out any recent developments in the ethical framework.

3.0 REVIEW OF LOCAL GOVERNMENT STANDARDS

- 3.1 The Committee has previously considered the Committee on Standards in Public Life (CSPL) review of local government standards. The consultation is now closed and responses are being analysed. The CSPL intends to publish its report by the end of the year.

- 3.2 The CSPL held roundtable discussions with Monitoring Officers, Clerks, Independent Persons and others on local government ethical standards on 18 April and 24 April 2018. Notes of the discussions are published online at: <https://www.gov.uk/government/publications/local-government-ethical-standards-roundtable-transcript-and-summary-note> and highlight many of the issues previously raised by this Committee:

- *high level of variation in local authority codes*
- *Participants highlighted an inconsistency with an approach of being able to set a code but not enforce it. Participants strongly felt that a lack of stronger sanctions undermines the system and erodes public confidence*
- *Investigations are currently disproportionately expensive to sanctions available.*
- *Most councillors go into local government to make a difference, conduct themselves well, and would find any sanction very sobering. More sanctions are needed for the small minority of councillors who show poor conduct*

- 3.3 Dr Jane Martin of the CSPL gave a speech indicating the lessons learned so far during the review, which reflect the recurring themes listed above and other issues: https://localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=35337%3Astandards-matter&catid=59&Itemid=27

- 3.4 Members will be kept informed of developments.

4.0 CSPL REPORT “THE CONTINUING IMPORTANCE OF ETHICAL STANDARDS FOR PUBLIC SERVICE PROVIDERS”

- 4.1 The CSPL published the above report on 8 May 2018. It can be accessed online at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705884/20180510_PSP2_Final_PDF.pdf

4.2 The report looks at the landscape within which the delivery of public services operates, including the impact of the proposed withdrawal from the European Union. Key findings from the report are:

- (a) *The public want services to be delivered responsibly and ethically, regardless of provider.... And the public expects that when service delivery fails, there will be a direct line of accountability to the public authority responsible.*
- (b) *... As the United Kingdom establishes new public sector bodies and regulatory approaches, there will need to be a continued, consistent and rigorous application of the Seven Principles of Public Life to public service delivery.*
- (c) *...that the government has made some improvements in how it manages the ethical conduct of contractors as part of a broader maturing of outsourcing practices...but .. otherwise made little progress in adopting the Committee's recommendations; limited progress on introducing formal measures to reinforce the application of ethical standards; ...*
- (d) *The Committee remains of the view that more must be done to encourage strong and robust cultures of ethical behaviour in those delivering public services. To that end, the Committee reaffirms the recommendations made in its 2014 report and has made a further set of more detailed, follow-up recommendations to address particular issues of concern.*

4.3 The Government has written to the CSPL indicating it will consider the recommendations and respond in due course:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/709203/MFC1308_response.pdf

4.4 Members will be kept informed of developments.

5.0 CSPL ANNUAL REPORT 2017-18

5.1 The CSPL has published its Annual Report for 2017-18:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/725871/20180711_FINAL_Version_9_CSPL_Annual_Report_.pdf

5.2 The CSPL states that during 2018/19, it will, in particular:

- keep a particular watching brief on “developments in Westminster with regard to alleged bullying and harassment of staff.”
- monitoring responses to the recommendations in the CSPL ‘Intimidation in Public Life’ report
- Continuing its review of local government ethical standards;

5.3 Members will be kept informed of developments.

6.0 RECOMMENDATIONS

6.1 That the Committee notes the contents of this report.

BARRY KHAN

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Background Papers:

None

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NORTHALLERTON

11 September 2018