

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

8 March 2023

**Local Ethical Framework Developments**

**1.0 PURPOSE OF REPORT**

- 1.1 To update Members on the development of the national 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 HANDLING ONLINE ABUSE AND INTIMIDATION – LGA PRESENTATION SLIDES**

- 3.1 Presentation slides on “Handling online abuse and intimidation” are now available on the Local Government Association (LGA) website, for Members’ information:

[Handling online abuse and intimidation, 1 February 2023 | Local Government Association](#)

**4.0 COMMITTEE ON STANDARDS IN PUBLIC LIFE REPORT - “LEADING IN PRACTICE”**

- 4.1 At its last meeting, the Standards Committee was informed about the Committee on Standards in Public Life (CSPL)’s review, ‘Leading in Practice’, looking at the role of leadership in embedding the General Principles of Public Life (the Nolan Principles) in public sector organisations.

- 4.2 The CSPL has now published its report “Leading in Practice” which sets out case studies and examples from both the public and private sector on maintaining standards within organisations and embedding ethical values in their culture, policies, practices and in the services they deliver. The report, 84 pages long, is available to download from the CSPL website:

[Leading in Practice – A review by the Committee on Standards in Public Life \(publishing.service.gov.uk\)](#)

- 4.3 There is also an open letter from the Chair of the CSPL to public sector leaders about ethical leadership, “to prompt reflection, discussion and action” on the importance of ethical leadership:

<https://www.gov.uk/government/news/the-committee-on-standards-in-public-life-publishes-new-report-leading-in-practice>

- 4.4 The report poses 20 questions for consideration by leaders relating to

- Communicating values and leading by example

- Encouraging a ‘speak up’ culture
- Training, discussion and decision-making
- Governance
- Recruitment and performance management

4.5 Key highlights from the report are:

- the Principles of Public Life have stood the test of time and permeated public consciousness;
- it is crucial that the underpinning principle to act always in the public interest is maintained, and any decisions to shortcut normal processes are clearly explained and open to scrutiny;
- Senior leaders set the tone for their organisation. They must be clear about the importance they attach to the values of their organisation, exhibit those values and be willing to address behaviour inconsistent with those values;
- futility and fear can be barriers to speaking up. Creating a ‘speak up’ culture requires leaders to take a proactive approach, to listen, to take action where appropriate, and to provide feedback on the outcome;
- regular training and discussion of the Principles of Public Life is integral to embedding high standards of conduct;
- identifying and bringing together data into a single report can be instructive for assessing the culture of an organisation;
- the CSPL would encourage public sector organisations to consider incorporating an assessment of how candidates’ personal values align with the Principles of Public Life within their recruitment and selection processes, particularly for senior leadership positions.

**5.0 CSPL LETTER RE STANDARDS SANCTIONS**

5.1 The Chair of the CSPL has written to the Levelling up Secretary, calling on the Government to reconsider its stated position regarding the sanctions available to authorities where a breach of the Code of Conduct has been found.

5.2 Last year the Government rejected the CSPL recommendation in its 2019 report on Local Government Ethical Standards that authorities should be able to suspend councillors in breach of the Code. The Government stated that “There is no provision in current legislation for a sanction to suspend a councillor found to have breached the code of conduct, and this was a deliberate policy decision by the Coalition Government at the time of the Localism Act 2011 to differentiate from the previous, failed Standards Board regime. The Standards Board regime allowed politically motivated and vexatious complaints and had a chilling effect on free speech within local government. These proposals would effectively reinstate that flawed regime.”

5.3 The Chair of the CSPL has urged the Secretary of State to reconsider the CSPL’s recommendations in its report stating that “It was clear from our evidence that the sector backed our call to strengthen the arrangements in place to support high ethical standards. There is clear frustration within local authorities at the limited powers within the local government standards regime to address poor behaviour by a minority of individuals.”

[Correspondence between Lord Evans and the Rt Hon Simon Clarke MP, Secretary of State for Levelling Up, Housing and Communities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/correspondence-between-lord-evans-and-the-rt-hon-simon-clarke-mp-secretary-of-state-for-levelling-up-housing-and-communities)

5.4 Members will be kept informed of developments.

## **6.0 GUIDANCE ON SOCIAL MEDIA**

6.1 The Civility and Respect Project team established by the National Association of Local Councils (NALC), One Voice Wales, the Society of Local Council Clerks (SLCC) and county associations has produced a guide “Actively addressing the issues of Civility and Respect on Social Media” regarding the use of social media. More information can be found via the following link:

[SLCC | Civility and Respect Guide to Social Media](#)

## **7.0 PREVIOUS CSPL REPORTS AND REVIEWS**

7.1 Links to all reports and reviews conducted by the CSPL since 1995 are published on its website - [Previous CSPL reports and reviews - GOV.UK \(www.gov.uk\)](#).

## **8.0 FINANCIAL IMPLICATIONS**

8.1 There are no significant financial implications arising from this report.

## **9.0 LEGAL IMPLICATIONS**

9.1 The legal implications are set out in the body of this report.

## **10.0 ENVIRONMENTAL IMPLICATIONS**

10.1 There are no significant environmental implications arising from this report.

## **11.0 RECOMMENDATIONS**

11.1 That the Committee notes the contents of this report.

BARRY KHAN

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Background Papers:

None

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27 February 2023