

NORTH YORKSHIRE COUNCIL
STANDARDS AND GOVERNANCE COMMITTEE

15 March 2024

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 ordinary Standards and Governance Committee meeting setting out any recent developments in the national ethical framework.

3.0 ONLINE SAFETY ACT 2023

- 3.1 Members have previously been briefed regarding the Online Safety Bill which received its third reading in the House of Lords on 6 September 2023. The aim of the Bill was to protect people from online abuse and to make social media companies more responsible for their users' safety whilst on their social media sites.
- 3.2 The Online Safety Act 2023 ([Online Safety Act 2023 \(legislation.gov.uk\)](https://legislation.gov.uk)) received Royal Assent on 26 October 2023 and the majority of its provisions have been brought into force via three sets of Commencement Regulations.
- 3.3 The Act aims to address illegal and harmful content online and provides for a new regulatory framework which has the general purpose of making the use of internet services regulated by the Act safer for individuals, particularly children, in the UK. The Act also introduces new criminal offences and creates Ofcom as the regulator for online safety, granting it new powers including those required to enforce the framework.
- 3.4 Section 1 of the Act explains that, among other things, the Act—
- (2)(a) imposes duties which, in broad terms, require providers of services regulated by this Act to identify, mitigate and manage the risks of harm (including risks which particularly affect individuals with a certain characteristic) from—
- (i) illegal content and activity, and
 - (ii) content and activity that is harmful to children, and
- (b) confers new functions and powers on the regulator, OFCOM.
- (3) Duties imposed on providers by this Act seek to secure (among other things) that services regulated by this Act are—
- (a) safe by design, and
 - (b) designed and operated in such a way that—
 - (i) a higher standard of protection is provided for children than for adults,
 - (ii) users' rights to freedom of expression and privacy are protected, and
 - (iii) transparency and accountability are provided in relation to those services.

- 3.5 Ofcom has set out its plans for implementing the Act on its website - [Ofcom's approach to implementing the Online Safety Act - Ofcom](#).
- 3.6 The Department for Science, Innovation & Technology published an Online Circular regarding certain provisions of the Act, particularly new criminal offences. Details can be found here - [Online Safety Act: new criminal offences circular - GOV.UK \(www.gov.uk\)](#).
- 3.7 Further information can be found here - [UK children and adults to be safer online as world-leading bill becomes law - GOV.UK \(www.gov.uk\)](#).

4.0 LGA – HANDLING ONLINE ABUSE AND INTIMIDATION

- 4.1 The Local Government Association has published on its website, presentation slides from a presentation on 12 October 2023 regarding “Handling online abuse and intimidation” - [Handling online abuse and intimidation, 12 October 2023 | Local Government Association](#) which Members may find interesting and helpful.

5.0 CSPL – LOBBYING SEMINAR, SUMMARY NOTE

- 5.1 As part of its watching brief on such issues, the Committee on Standards in Public Life (CSPL) held a seminar on 21 September 2023 to look at lobbying and transparency and how the currently lobbying rules are working in practice. The CSPL has produced a note of the themes discussed at the seminar. Further information is available here:

[Committee on Standards in Public Life - Lobbying Seminar, Summary Note - GOV.UK \(www.gov.uk\)](#)

[2023-09-21 Lobbying Seminar Summary Note \(publishing.service.gov.uk\)](#)

6.0 CSPL – LOCAL GOVERNMENT STANDARDS

- 6.1 In October 2023, the outgoing Chair of the Committee on Standards in Public Life, Lord Evans, at the end of his five year term, stated that there is “still a major problem” regarding local government standards and reiterated the CSPL’s disappointment that the Government’s response to their 2019 report on Local Government Standards had taken three years and rejected the CSPL’s recommendations.
- 6.2 Lord Evans highlighted gaps in the standards regime and how he feels these need to be addressed going forwards, particularly in terms of compliance systems, development of an underpinning ethical culture within organisations and that there are appropriate consequences if standards are not met. He also recognised the serious problem of the abuse and intimidation of those in public life.
- 6.3 A transcript of the speech can be accessed here - [2023-10-17 Final IfG speech as delivered.docx \(publishing.service.gov.uk\)](#).
- 6.4 On 22 December 2023 the CSPL’s newly appointed Chair, Doug Chalmers, published a statement on his appointment, in which he states that:

“The Nolan Principles are a well embedded cornerstone of public life in this country but they cannot be taken for granted. They take constant energy if they are to be meaningful. I look forward to working with all those who play a part in helping to maintain the high standards expected by the public of those that serve them.

As I start my five year term, I will endeavour to continue the Committee's reputation for carefully researched reports that make sound arguments to assist those in public life retain high ethical standards. We will be announcing the Committee's future work programme in the New Year."

6.5 He also reiterated that standards processes should be frequently reviewed. The full statement can be viewed here - [Introducing our new Chair, Doug Chalmers - Committee on Standards in Public Life \(blog.gov.uk\)](#).

7.0 FINANCIAL IMPLICATIONS

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

8.0 LEGAL IMPLICATIONS

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

9.0 ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS

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

10.0 EQUALITIES IMPLICATIONS

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

11.0 RECOMMENDATIONS

11.1 That the Committee notes the contents of this report.

BARRY KHAN
Assistant Chief Executive Legal and Democratic Services and Monitoring Officer

Background Papers:

None

County Hall
NORTHALLERTON

26 February 2024