

NORTH YORKSHIRE COUNCIL  
STANDARDS AND GOVERNANCE COMMITTEE

26 June 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 COMMITTEE ON STANDARDS IN PUBLIC LIFE – “MAKING SENSE OF THE STANDARDS LANDSCAPE”**

- 3.1 The Committee on Standards in Public Life has published an entry on its Blog regarding evidence given by the Committee to the House of Commons Standards Committee as part of their current enquiry into the House of Commons Standards landscape:

[Making sense of the standards landscape – Committee on Standards in Public Life \(blog.gov.uk\)](https://blog.gov.uk/making-sense-of-the-standards-landscape-committee-on-standards-in-public-life)

- 3.2 The entry references three common threads to sanctions:

- i. Codes of conduct
- ii. Independent scrutiny and
- iii. Guidance and education

and states that there is more work to be done on education “both in terms of making people aware of the 7 principles and how to live them once in public life and a more general, wider political literacy about how our system of government and politics works.”

- 3.3 In the blog, the Chair emphasises that “Codes require regular review, ensuring they remain relevant and effective” and that “Maintaining standards requires vigilance and leadership.”

**4.0 CSPL – “AI AND PUBLIC STANDARDS”**

- 4.1 The Committee on Standards in Public Life wrote to Government Departments and public bodies seeking an update on how they are reviewing their governance arrangements in relation to artificial intelligence (AI) in line with the recommendations in the CSPL’s earlier report in 2020 ([Artificial Intelligence and Public Standards Report \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/artificial-intelligence-and-public-standards-report)).

- 4.2 Responses received by the CSPL have been published online here:

[AI and Public Standards: 2023 public bodies survey and responses - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/ai-and-public-standards-2023-public-bodies-survey-and-responses)

- 4.3 The Department for Science, Innovation and Technology and Crown Commercial Service have also provided an update to the CSPL which is published online here:

[AI and Public Standards: government update on progress against recommendations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/ai-and-public-standards-government-update-on-progress-against-recommendations)

- 4.4 The CSPL has subsequently published a follow up report updating on progress made in relation to their recommendations which is published online here:

[AI and Public Standards: an update on progress made against our 2020 recommendations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/ai-and-public-standards-an-update-on-progress-made-against-our-2020-recommendations)

## **5.0 CSPL – “ACCOUNTABILITY WITHIN PUBLIC BODIES”**

- 5.1 ‘Accountability’ is one of the seven General Principles of Public Life:

*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.*

- 5.2 The Committee on Standards in Public Life has announced that it is to undertake a review of accountability within public bodies and the importance of acting on early warning signs - [Committee on Standards in Public Life launches new review on accountability within public bodies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/committee-on-standards-in-public-life-launches-new-review-on-accountability-within-public-bodies).

- 5.3 The Chair of the CSPL said it aims to share best practice on "how organisations build and maintain systems of internal accountability that enable timely decision making, supporting proper scrutiny of their decision making".

- 5.4 The review will look at:

1. “How the Nolan Principles can guide decision-making within public bodies.
2. How public bodies can support Parliament, regulators and other bodies to hold them to account on behalf of the public, including but not limited to making available the information necessary for them to do so effectively.
3. Best practice in managing risk within public sector organisations. We will look at how organisations can use data to analyse patterns, identify early warning signs and escalate issues of concern in a timely manner.
4. The role of boards of public bodies, including how they can maximise their effectiveness at providing timely challenge to the organisation.
5. How a healthy organisational culture can help public bodies to learn from their mistakes and take action swiftly to put things right.”

- 5.5 The full terms of reference for the review and further details are published online here - [Accountability within Public Bodies: terms of reference - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/accountability-within-public-bodies-terms-of-reference), along with Frequently Asked Questions regarding the terms of reference ([2024-03-21 Accountability within public bodies - terms of reference FAQ final \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/news/2024-03-21-accountability-within-public-bodies-terms-of-reference-faq-final)).

- 5.6 As part of its review, the CSPL is holding an open consultation as part of its evidence gathering and has published a call for evidence on its website - [Accountability within Public Bodies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/accountability-within-public-bodies). Anyone with an interest may make a submission. The consultation closes on 14 June 2024.

5.7 It is anticipated that a report detailing best practice for public sector organisations will be published in Spring 2025.

## **6.0 SECURITY FOR COUNCILLORS**

6.1 The Home Office has announced that all elected representatives and candidates are to have a dedicated named Police liaison contact regarding security matters as part of wider work to protect democratic processes from disruption. This expands the support currently offered under current policing arrangements.

6.2 Further information is available on the [www.gov.uk](http://www.gov.uk) website here - [£31m committed to protect democratic process - GOV.UK \(www.gov.uk\)](#)

6.3 The Local Government Association has published an article on its website ([LGA backs new personal security measures for councillors | Local Government Association](#)) backing the new personal security measures for councillors in terms of locally elected representatives having dedicated police support for security matters.

6.4 The Chair of the LGA's Civility in Public Life Steering Group commented that "We want to work with the Government to help take much needed steps to protect local councillors whilst they fulfil their democratic duty. This includes ending the legal obligation for a council to publish a councillor's home address and providing greater police protection for local representatives."

6.5 The LGA has previously published its report "Debate Not Hate: Ending abuse in public life for councillors" outlining "how councils can better support councillors to prevent and handle abuse and includes principles for councils to consider, top tips and good practice case studies." - [Debate Not Hate: Ending abuse in public life for councillors | Local Government Association](#).

## **7.0 GOVERNMENT GUIDANCE – "NEW DEFINITION OF EXTREMISM (2024)"**

7.1 The Department of Levelling Up, Housing & Communities has issued guidance ([New definition of extremism \(2024\) - GOV.UK \(www.gov.uk\)](#)) setting out a new definition for extremism alongside new engagement principles for Government (to ensure they do not inadvertently provide a platform for the advancement of extremist ideologies) as part of an effort to counter extremism and religious hatred while promoting social cohesion and democratic resilience.

7.2 The new definition in the guidance is:

Extremism is the promotion or advancement of an ideology based on violence, hatred or intolerance, that aims to:

1. negate or destroy the fundamental rights and freedoms of others; or
2. undermine, overturn or replace the UK's system of liberal parliamentary democracy and democratic rights; or
3. intentionally create a permissive environment for others to achieve the results in (1) or (2).

7.3 The guidance sets out examples of behaviour which could constitute extremism, including "Using, threatening, inciting, justifying, glorifying or excusing violence towards public officials including our armed forces, police forces and members of local, devolved or national legislatures, in order to dissuade them from conducting their obligations freely and fearlessly, without external interference.", which could cover such action towards members of local government.

## **8.0 COUNCILLOR SENSITIVE INTERESTS**

- 8.1 The Department for Levelling Up, Housing & Communities wrote to all Local Authority Chief Executives in England in March 2024 regarding councillor sensitive interests, amidst concerns raised by elected members about intimidation in public life and their personal safety - [Withholding details of councillors' sensitive interests and home addresses: letter to local authorities \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/125442/Withholding_details_of_councillors_sensitive_interests_and_home_addresses_letter_to_local_authorities.pdf)
- 8.2 The Minister for Local Government wished to ensure that all councillors and elected mayors were reminded of the sensitive interests' provisions in section 32 of the Localism Act 2011.
- 8.3 Under section 32 of the Act, a councillor does not need to register in the Register of Members' Interests, or declare to a meeting, the details of an interest which they have agreed with the Monitoring Officer to be a 'sensitive interest'; that is, one which if the details were disclosed could lead to the councillor or someone connected to them being subject to violence or intimidation. The existence of the interest must still be registered/declared but not the sensitive details.
- 8.4 The Council's Code of Conduct for Members does contain a paragraph regarding sensitive interests, replicating the provisions of section 32 of the Act. A reminder is also given in each edition of the Standards Bulletin about sensitive interests, when Members are urged to contact the Monitoring Officer should they feel that any of their interests are sensitive given any prevailing circumstances.

## **9.0 FINANCIAL IMPLICATIONS**

- 9.1 There are no significant financial implications arising from this report.

## **10.0 LEGAL IMPLICATIONS**

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

## **11.0 ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS**

- 11.1 There are no significant environmental implications arising from this report.

## **12.0 EQUALITIES IMPLICATIONS**

- 12.1 There are no significant equalities implications arising from this report.

## **13.0 RECOMMENDATIONS**

- 13.1 That the Committee notes the contents of this report.

BARRY KHAN

Assistant Chief Executive Legal and Democratic Services and Monitoring Officer

Background Papers:

The Localism Act 2011

North Yorkshire Council's Code of Conduct for Members

County Hall

NORTHALLERTON

13 June 2024