

Local Government Association (LGA): changes to the local government standards framework questionnaire

The Government is planning to consult on changes to the local government standards framework in England. This questionnaire is to help the LGA gain the views of local authorities.

Why are we collecting data from local government members and officers?

We are collecting data from local government members, monitoring officers and Independent Persons as part of our engagement on the Government's announced consultation on reforms to the local government standards framework. Chief executives are also welcome to complete the questionnaire alongside their monitoring officers.

The purpose of this data collection is to:

- understand your experiences with the current standards framework and identify areas for improvement
- develop evidence-based recommendations that reflect the needs of local government members and officers
- ensure that the views and experiences of local government members and officers are considered when responding to the Government's consultation

Do you have to complete this questionnaire?

Completing this questionnaire is entirely voluntary. We would like you to share as much information as you feel comfortable with, but you do not have to answer every question.

What will we do with your data?

All responses will be treated confidentially. Information will be aggregated, and no individual or authority will be identified in any publications without your consent. Identifiable information will be used internally within the LGA and by our project partners Hoey Ainscough Associates Ltd and Wilkin Chapman LLP to the extent that it is necessary for them to work with us on this topic, but will only be held and processed in accordance with our privacy statement. We are undertaking this questionnaire to aid the legitimate interests of the LGA in supporting and representing authorities.

Definitions

Independent Person – a person appointed to assist an authority in upholding high standards of conduct for councillors.

Co-opted member – a person who is not an elected member of the authority but is a member of a committee or sub-committee of the authority or is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority.

Councillor – a member or co-opted member of a local authority or a directly elected mayor.

Disclosable Pecuniary Interests (DPIs) – an interest of the councillor or their partner related to financial interests or wellbeing.

Completing the questionnaire

Please complete this questionnaire by **Thursday 9 January 2025**. Please contact us at jessica.norman@local.gov.uk if you have any questions about the topics covered in this questionnaire, and natalie.ainscough@hoeyainscough.co.uk if you have any issues with the online questionnaire form.

A. About you

Please provide the following information about yourself. If you are a member of more than one authority, please list all authorities but only complete this questionnaire once.

Question Title

* 1. Name

North Yorkshire Council Standards and Governance Committee

Question Title

* 2. Authority/Authorities

North Yorkshire Council

Question Title

* 3. Email address

MonitoringOfficer@northyorks.gov.uk

Question Title

* 4. What is your authority type?

If you belong to more than one authority, please select all applicable authority types.

County council
District council
Unitary authority
Metropolitan district
London borough council

Question Title

* 5. What is your position at your authority?

Councillor
Monitoring Officer
Chief Executive
Independent Person
Other (please specify)

Standards and Governance Committee

Question Title

6. What is your political affiliation?

Conservative
Green
Grouped Independent (including Resident's Association)
Labour
Liberal Democrats
Reform UK
Ungrouped Independent
Other (please specify)

N/A

B. The code of conduct

Question Title

7. There is currently no mandatory national code of conduct for councillors although there is a [Model Councillor Code of Conduct](#). Which, if any, of the following is your preferred option?

Authorities should be able to continue to have their own code of conduct if they choose
There should be a mandatory national code of conduct with local flexibility to add additional requirements
Don't know

Question Title

8. Under the current law the code of conduct does not cover any private conduct. This means that actions and behaviour that occur in a person's private life, such

as criminal convictions not explicitly relevant to councillor disqualification criteria are not covered by the code. Which, if any, of the following is your preferred option?

The code of conduct should continue not to regulate any private conduct

The code of conduct should be extended to consider private misconduct in certain circumstances, such as criminal convictions

Don't know

C. Standards committees

Question Title

9. There is currently no requirement for local authorities to have a standards committee, though many choose to do so. Existing standards committees are generally responsible for promoting high standards of councillor conduct and taking decisions on standards cases which have been investigated. Which, if any, of the following is your preferred option?

Authorities should be required to have a standards committee

It should continue as now for there to be no requirement for a standards committee

Don't know

Question Title

10. Do you think that councillors who sit on standards committees or equivalent should be required to complete mandatory training on their role and responsibilities?

Yes

No

Don't know

Question Title

11. Currently only elected members have voting rights on a standards committee; co-opted independent lay members are advisory and cannot vote on decisions by the committee. Which, if any, of the following is your preferred option?

Co-opted members should have voting rights if they have been appointed to a standards committee

Authorities should be given the choice to give co-opted members on their standards committees voting rights if they wish

Only elected members should continue to have voting rights on a standards committee as now

Don't know

D. Independent Persons

Question Title

12. Under the current framework authorities must have an Independent Person whose views must be sought by the authority on matters under investigation. Which, if any, of the following is your preferred option?

The Independent Person role should be maintained even if independent lay members on standards committees are given voting rights

The Independent Person role should be replaced by independent lay members with voting rights on standards committees

Don't know

E. Sanctions and the standards framework

Question Title

13. Authorities have limited powers to sanction councillors who have been found to have breached the code of conduct, including public censure, additional training and removal of special responsibilities. Councillors cannot be suspended or disqualified for breaching the code. Which, if any, of the following is your preferred option?

The current sanctions are sufficient for maintaining high standards of councillor conduct

Stronger sanctions are needed for maintaining high standards of councillor conduct

Don't know

Question Title

14. At the moment the standards framework is devolved totally to individual local authorities. If the Government introduces stronger sanctions for breaches of the code of conduct, which if any of the following is your preferred option?

The system should remain entirely devolved and stronger sanctions should be made available to local authorities

The system should remain largely devolved, but independence should be strengthened if stronger sanctions are going to be introduced, for example, a stronger role for the Independent Person or the mandatory introduction of standards committees with independent co-opted members

The system should remain devolved for lower-level breaches of the code; breaches that could result in stronger sanctions, such as financial or democratic sanctions, should be dealt with by an independent body

A system of national oversight should be reintroduced

Don't know

Question Title

15. Which of the following sanctions do you think would support authorities' ability to maintain high standards of councillor conduct and behaviour?

You may tick more than one box

Withdrawal of allowances for a maximum period of time

A system of fines

An order to pay reasonable costs for the authority's investigation

Suspension with allowances up to a maximum period

Suspension without allowances up to a maximum period

A recall mechanism allowing members of the public to trigger a by-election, similar to the arrangements in Parliament

Disqualification from public office up to a maximum period

Not applicable – I don't think further sanctions are needed

Don't know

Other (please specify)

Question Title

16. It is a criminal offence to fail to register or declare certain interests known as Disclosable Pecuniary Interests (DPIs), and conviction can lead to disqualification from holding office for up to five years. If the power to suspend or disqualify councillors was reintroduced do you think the Government should keep the criminal offence or repeal it?

Keep the criminal offence

Repeal the criminal offence and require registration and declaration of interests to be dealt with under the code of conduct

Don't know

F. Appeals

Question Title

17. At present there is no statutory appeals process against a finding that a councillor has breached the code of conduct. If additional sanctions are introduced, an appeals process is likely to also be introduced. In this case, which, if any, of the following is your preferred option?

Appeals processes should be available in all cases, regardless of the sanction applied

Appeals processes should only be available in cases where a higher-level sanction, such as a financial sanction, suspension or disqualification has been applied

Don't know

Other (please specify)

Question Title

18. If an appeals process was put in place, which of the following would be your preferred appeals body?

A separate committee of the authority

An appeal to a neighbouring authority

A regional panel which may be a mix of councillors and independent lay members

A national appeals body

Don't know

Other (please specify)

G. Publication of outcomes

Question Title

19. There is no legal requirement to publish the outcome of standards cases (but they may be subject to disclosure under the Freedom of Information Act 2000).

Which, if any, of the following is your preferred option?

It should be mandatory to publish all outcomes of investigations

It should be mandatory only to publish an outcome where the code of conduct has been breached

It should remain a matter for the authority to decide whether to publish the outcome of an investigation in accordance with existing legislation

Don't know

Question Title

20. Do you think it should be a requirement that breaches of the code of conduct are recorded under a councillor's authority website profile alongside their register of interests?

Yes

No

Don't know

H. Permissions

Question Title

21. Would you be happy to be involved in future work related to this area and/or the contents of this questionnaire?

Yes

No

Done