

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

17 September 2021

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 NEW MODEL CODE OF CONDUCT FOR MEMBERS SUPPORTING GUIDANCE

- 3.1 The main area of development is that the Local Government Association has now published Guidance in respect of the new, voluntary national Model Code of Conduct for Members. This is the subject of a separate report to the Committee.

4.0 REVIEW OF COMMITTEE ON STANDARDS IN PUBLIC LIFE

- 4.1 The Minister of the Cabinet Office has requested a review of the membership and remit of the Committee on Standards in Public Life (CSPL), including in relation to its diversity, following a letter from the Chair of the CSPL explaining that CSPL members had “expressed concerns about our lack of visible diversity now as a group”.

- 4.2 Members will be kept informed of developments.

5.0 CSPL – ANNUAL REPORT 2020/21

- 5.1 On 15 July 2021 the CSPL published its Annual Report covering the period July 2020 - June 2021:

[Annual Report 2020-2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/95422/Annual_Report_2020-2021_-_GOV.UK.pdf)

- 5.2 The Report sets out the work the CSPL has carried out in its priority areas over the period July 2020 - June 2021, including:

- two major reviews; one on election finance and one on the strengths and weaknesses of the standards landscape – “Standards Matter 2”. The published findings from that review will inform the CSPL’s final report and recommendations to Government later in 2021;
- monitoring the impact of the Covid-19 pandemic on public standards and standards issues arising as a result of the pandemic. The CSPL will continue to monitor the impact of the pandemic on ethical standards in public life;

- following up previous reviews on intimidation in public life and local government ethical standards;
- 5.3 The CSPL noted that the Local Government Association had taken forward the CSPL's 2019 recommendation of a model code of conduct for councilors, in an effort to enhance the consistency and quality of local codes, and to support action against bullying and harassment.
- 5.4 The CSPL "remains concerned" that the Government has not yet formally responded to its January 2019 Report on Local Government Ethical Standards, some two and a half years after it was published and urges the Government to look at the recommendations made in the report as a matter of urgency. The Government has previously acknowledged that its response to the CSPL's review is "overdue" (citing the reasons of the 2019 election and then the Covid-19 pandemic) and will follow in due course.
- 5.5 Going forwards, the CSPL's next review, later in 2021, will highlight best practice in education, culture, and leadership on ethical standards. The CSPL aims to report to Government in 2022.
- 5.6 Members will be kept informed of developments.

6.0 CSPL REPORT ON THE REGULATION OF ELECTION FINANCE

- 6.1 In July this year, the CSPL has published its 22nd report, on the regulation of election finance. The report is detailed, spanning 167 pages and is available on the website:

[Regulating Election Finance: report - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

and makes 47 separate recommendations in relation to the following broad areas:

- principles underpinning the regulation of election finance;
 - electoral law and legal framework (and its simplification);
 - the role of the Electoral Commission;
 - regulating donations and loans;
 - regulated periods (periods during which spending limits and reporting obligations apply) and campaign expenditure;
 - digital campaigning and election finance;
 - reporting campaign expenditure timeframes;
 - non-party campaigning;
 - the framework for the enforcement of election finance offences (the criminal and civil regimes);
 - a civil sanctions regime for candidates, overseen by the Electoral Commission.
- 6.2 The CSPL states that the report "focuses on practical proposals that seek to modernise and reform aspects of the regime.... Together, the recommendations we have made in this report will deliver significant improvements to the current framework for regulating election finance, creating a more transparent, proportionate and effective system."
- 6.3 Members will be kept informed of developments.

7.0 CSPL FINDINGS FROM ‘STANDARDS MATTER 2’ REVIEW

7.1 The CSPL has published its findings from its ‘Standards Matter 2’ review, in advance of its final report:

[Standards Matter 2: The Committee's Findings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/standards-matter-2-the-committee-s-findings)

The Committee launched its Standards Matter 2 review ([Standards Matter 2 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/standards-matter-2-the-committee-s-findings)) last autumn “to evaluate the strengths and weaknesses of the institutions, processes and structures in place to support high standards of conduct in public life.... In light of sustained public scrutiny on standards in public life and a number of ongoing parliamentary and government inquiries into standards issues, the Committee is publishing findings from the review. The Committee’s final report and recommendations to the Prime Minister will follow later this year”.

7.2 The findings cover the following broad areas:

- four areas of standards regulation require significant reform: the Ministerial Code and the Independent Adviser on Ministers' Interests, the business appointment rules and the Advisory Committee on Business Appointments (ACOPA), transparency around lobbying, and the regulation of public appointments;
- immediate issues with the current operation of the standards regulatory regime, and point in the direction of necessary reforms.

7.3 The CSPL states that its final report will be published later in 2021, and it will include the CSPL’S assessment of the relevance of the General Principles of Public Life, on how ethical standards are being upheld and the CSPL’s formal recommendations to Government.

8.0 CIVILITY IN PUBLIC LIFE - DIGITAL CITIZENSHIP RESOURCES

8.1 As part of its work on Civility in Public Life, the LGA is publishing a range of new resources and tools to support councillors with online communications:

[Digital citizenship: support and resources for councillors | Local Government Association](https://www.local.gov.uk/digital-citizenship-support-and-resources-for-councillors)

8.2 The resources currently cover matters such as:

- new “Rules of engagement” and “Handling online abuse” infographics and accompanying accessible text;
- handling intimidation in public life;
- the Model Code of Conduct.

and will be developed over time, as the LGA works with partners on a long-term project to improve civility in public life.

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 IMPLICATIONS

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

12.0 RECOMMENDATIONS

12.1 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

8 September 2021