

REPORT OF: CITY SOLICITOR

TO: AUDIT AND ACCOUNTS COMMITTEE

ON 20th JANUARY 2021

TITLE: Committee on Standards in Public Life – Local Government Ethical Standards

RECOMMENDATIONS:

- Members note the review by the Committee on Standards in Public Life and the list of best practice recommendations.
 - Members note the work undertaken by the Standards Committee to implement the best practice recommendations.
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EXECUTIVE SUMMARY:

The purpose of this report is to make members aware of the 20th report of the Committee on Standards in Public Life, on the subject of ethical standards in local government. The list of best practice recommendations from the review is attached at Appendix A.

BACKGROUND DOCUMENTS:

Local Government Ethical Standards - A Review by the Committee on Standards in Public Life
Standards Committee papers
Code of Corporate Governance

KEY DECISION: NO

DETAILS:

The review was undertaken by the Committee on Standards in Public Life and the report published in January 2019.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF

The review includes a number of recommendations and identified best practice to improve ethical standards in local government. The recommendations are made to government and to specific groups of public office-holders. The review recommends a number of changes to primary legislation, which would be subject to Parliamentary timetabling, but also to secondary legislation and the Local Government Transparency Code, which it is expected could be implemented more swiftly. The best practice recommendations for local authorities should be considered a benchmark of good ethical practice, which the Committee on Standards in Public Life (CSPL) expect that all local authorities can and should implement. A review of the implementation of the best practice recommendations is underway and a consultation exercise has been undertaken for the public and public sector.

Work has been undertaken by the City Council's Standards Committee to review the council's compliance with the recommendations in the review and an update report was discussed at the Standards Committee meeting on the 12th November 2020. Response to the public sector consultation was co-ordinated by the City Solicitor after discussion with relevant managers. The response was submitted to CSPL and the feedback from the secretariat for the CSPL was that the response was very helpful.

CSPL carried out a review of actions in the 2019 report, and gave further assurance that the majority of local councils are demonstrating their strong commitment to high standards in public life.

<https://cspl.blog.gov.uk/2021/01/08/local-government-ethical-standards-follow-up-to-best-practice-recommendations/>

The City Council has a Code of Corporate Governance which is updated on an annual basis. The Code contains details of the procedures that the council has in place to protect itself, mitigate risk and ensure accountability with agreed roles and responsibilities. This is in accordance with the principles and behaviours that have been agreed by The Chartered Institute of Public Finance & Accountancy (CIPFA). The Code covers both officers and elected members.

KEY COUNCIL POLICIES:

Code of Conduct for Members which is based on a series of general principles which build on the Seven Principles of Public Life (the Nolan Principles).

Code of Conduct for Officers

Council Constitution

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS: N/A

ASSESSMENT OF RISK: Supplied by Sian Roxburgh

If the council fails to maintain robust governance arrangements and fails to comply with legislation and regulations, then there are reputational risks as well as financial and legal risks.

LEGAL IMPLICATIONS: Supplied by: Sian Roxburgh

Local authorities have a legal responsibility to conduct, at least annually, a review of the effectiveness of their governance framework including their system of internal control (Regulation 6 1 (a) of the Accounts and Audit Regulations 2015).

The city council's Code of Corporate Governance reflects the current assignment of responsibilities to ensure compliance with the principles and behaviours agreed by CIPFA. The Council should continue to monitor the arrangements set out in the Code for effectiveness as well as reviewing the Code on a continuing basis to ensure that it reflects the latest guidance and legislative requirements.

FINANCIAL IMPLICATIONS: Supplied by: N/A

PROCUREMENT IMPLICATIONS: supplied by: N/A

HR IMPLICATIONS: Supplied by: N/A

CLIMATE CHANGE IMPLICATIONS: Supplied by: N/A

OTHER DIRECTORATES CONSULTED: N/A

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WARDS TO WHICH REPORT RELATES: All