

Audit, Risk and Governance Committee
Meeting to be held on Monday, 19 October 2020

Electoral Division affected:
(All Divisions);

Code of Conduct
(Appendix A refers)

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Executive Summary

The committee are asked to consider the best practice recommendations of the Committee for Standards in Public Life in relation to the standards regime currently in place.

Recommendation

The committee is asked to consider the best practice recommendations of the Committee for Standards in Public Life in relation to the current standards regime and agree the next steps.

Background and Advice

In January 2019, the Committee for Standards in Public Life (the "Nolan Committee") published its report on Local Government Ethical Standards.

As part of that report, the Committee produced a series of recommendations to the government on the future of the local government standards regime and on what it considered to be best practice. As reported to the Audit, Risk and Governance Committee in January 2020, a response to the report was awaited from government.

The government response has been delayed, however, the Committee for Standards in Public Life has contacted all Local Authorities asking about progress against its best practice recommendations.

The list of recommendations, and the current position in Lancashire, is attached at Appendix A.

It should be noted that the recommendations have no formal or statutory basis, and so it remains largely a matter for individual local authorities to determine the content of its Code of Conduct and its approach to investigating complaints. The elements of the Code which are prescribed by law are mainly in relation to the list of pecuniary interests, and to the appointment of at least one independent person.

The position in Lancashire reported to the Audit, Risk and Governance Committee in January, was that it would be appropriate to wait for the government's formal response before launching a full review of the current code and approach, given that this would be likely to set out clear expectations and possibly seek to enshrine those in regulations. However, as it is not possible to say when government will be in a position to consider this issue, and the request from the Committee for Standards in Public Life request for an update on progress, the committee is now invited to consider its next steps.

Suggested options:

1. Conduct a review of the Code of Conduct and approach to handling complaints, taking the Committee for Standards in Public Life's best practice recommendations as a starting point for its considerations.
2. Continue to wait for a formal government response to the recommendations.

Should the committee favour the first option, some consideration would need to be given to the best way to undertake the review. It is suggested that the Political Governance Working Group, a cross party group appointed by Full Council, would be the appropriate vehicle. It is suggested that, as part of any work done, the views of the current Independent Persons should be sought.

Implications:

This item has the following implications, as indicated:

Financial: There are no financial implications.

Legal: The council is required to maintain and operate a Code of Conduct for Members. The current Code remains fully compliant with current legislation.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		