

	Committee for Standard in Public Life Proposal	Comment / Response
1	Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.	<p>It is suggested that Lancashire adopt the following from the Local Government Association model code:</p> <ul style="list-style-type: none"> • "The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others. <p>The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.</p> <p>Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation."</p>
2	Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.	<p>The Local Government Association model code includes the following:</p> <ul style="list-style-type: none"> • "8. Complying with the Code of Conduct <p>8.1 I undertake Code of Conduct training provided by my local authority.</p>

		<p>8.2 I cooperate with any Code of Conduct investigation and/or determination.</p> <p>8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.</p> <p>8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct. "</p> <p>It is suggested that these provisions be included in the Lancashire code, albeit that the Local Government Association code is written in the first person ("I"). The current Lancashire code uses the second person ("you") and so this would need to be reworded as appropriate.</p>
6	Councils should publish a clear and straightforward public interest test against which allegations are filtered.	A number of Public interest tests published by other councils have been reviewed. See Appendix B for a suggested test for Lancashire.
13	A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.	<p>Suggested wording for inclusion in our guide to handling complaints:</p> <ul style="list-style-type: none"> • "Prior to undertaking a standards investigation, the Monitoring Officer will consider the case and determine whether there could be an actual or perceived conflict of interest if they were to carry out the review. If this is the case, then the Monitoring Officer will approach a Monitoring Officer from a different authority or other appropriate senior officer to complete the enquiry. "
15	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.	Meetings now in place with Monitoring Officer and Political Groups, covering standards and other political management issues.