

Non-Executive Report of the: Standards (Advisory) Committee 14 March 2018	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Review of Local Government Ethical Standards – CSPL Review	

Originating Officer(s)	Mark Norman Legal Adviser & Deputy Monitoring Officer
Wards affected	All Wards

Summary

The Committee on Standards in Public Life (CSPL) advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. The CSPL is an advisory non-departmental public body, sponsored by the Cabinet Office. This report informs Members of a review of local government ethical standards being carried out by the CSPL.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Consider and comment on the CSPL consultation document attached as Appendix 1.

1. REASONS FOR THE DECISIONS

- 1.1 The CSPL review includes a public stakeholder consultation which is particularly aimed (amongst others) at local authorities and standards committees.

2. ALTERNATIVE OPTIONS

- 2.1 The Advisory Committee could choose not to contribute to a response to the consultation but this is not recommended.

3. DETAILS OF REPORT

- 3.1 The Committee on Standards in Public Life announced in January 2018 that it is undertaking a review of local government ethical standards.

- 3.2 The review will consider all levels of local government in England and its terms of reference are to:

- examine the structures, processes and practices in local government in England for:
 - maintaining codes of conduct for local councillors
 - investigating alleged breaches fairly and with due process
 - enforcing codes and imposing sanctions for misconduct
 - declaring interests and managing conflicts of interest
 - whistleblowing
- assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
- make any recommendations for how they can be improved
- note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation

- 3.3 The review includes a public stakeholder consultation particularly aimed at local authorities and standards committees, local authority members and local authority officials, as well as local government think tanks, academics and representative bodies. The consultation opened on 29 January and will close on 18 May 2018. A copy of the consultation document is attached as Appendix 1.

- 3.4 The Monitoring Officer has sought comments from the political Group Leaders and Chief Whips on the consultation and will also be seeking views from the Independent Persons appointed by the Council. In addition, the Advisory Committee is asked to consider the attached consultation document and identify any particular areas for comment and suggest proposed responses.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 There are no specific financial implications arising from this report.

5. LEGAL COMMENTS

5.1 The principal statutory provisions relating to standards of conduct are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by Members and Co-opted Members of the authority.

5.2 Sections 27 and 28 of the Localism Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance and to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes any decision about an alleged breach of the Code that has been investigated.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 Ethical governance arrangements ensure proper decision making and contribute to the Council's compliance with equalities legislation.

7. BEST VALUE (BV) IMPLICATIONS

7.1 Robust ethical governance arrangements ensure the proper, efficient and effective discharge of the Council's functions and contribute to compliance with the requirement to achieve best value.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

8.1 There are no immediate implications for the Council's SAGE policy.

9. RISK MANAGEMENT IMPLICATIONS

9.1 Robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct and protect ethical practice in local government.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no crime and disorder reduction implications.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix 1 Review of Local Government Ethical Standards: Stakeholder Consultation

Local Government Act, 1972 Section 100D (As amended)**List of “Background Papers” used in the preparation of this report**

- NONE

Officer contact details for documents:

- N/A