

Non-Executive Report of the: Standards Advisory Committee Date: 15 th October 2020	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Implementation of Best Practice Recommendations by CSPL	

Originating Officer(s)	Janet Fasan, Divisional Director of Legal Services Matthew Mannion, Head of Democratic Services
Wards affected	All (All Wards);

Special Circumstances Justifying Urgent Consideration

This report was not ready for publication with the agenda because it took longer than expected to gather all the relevant data. However, it is still considered important to present the report to this meeting of the committee as it provides a timely update on progress to meet the best practice recommendations and enables Members to comment and guide the work.

Executive 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 the progress of LBTH in implementing the recommendations from the 2019 report and the actions still to be taken.

Recommendations:

The Advisory Committee is to consider and note the content of the report.

1. REASONS FOR THE DECISIONS

1.1 This report does not require a decision.

2. ALTERNATIVE OPTIONS

2.1 This report does not require a decision.

3. DETAILS OF THE REPORT

- 3.1 The CSPL review of local government ethical standards considered all levels of local government in England and its terms of reference were 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.
- 3.2 The review included 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.
- 3.3 Following the consultation and recommendations of the CSPL review in 2019, LBTH has made progress in implementing the report's recommendations. The progress for each recommendation is detailed in the chart at Appendix 1 of this report.
- 3.4 In terms of recommendations 1 and 3, these are currently being addressed with a proposed amendment to the Code of Conduct for Members. In accordance with Recommendation 1, the proposed amendment includes a definition of bullying and examples detailed in an appendix. The suggested text and appendix are at Appendix 2 of this report.

4. EQUALITIES IMPLICATIONS

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

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,

- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 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.

6. **COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 There are no financial implications arising from this report.

7. **COMMENTS OF LEGAL SERVICES**

7.1 The principal statutory provisions relating to standards of conduct are contained in the *Localism Act 2011*. S.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.

7.2 S.27 and s.28 of the 2011 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 the alleged breach of the Code that has been investigated.

7.3 If the Government decides to accept the CSPL’s recommendations for changes to the standards regime, amendments will be required to the 2011 Act and other primary legislation.

Linked Reports, Appendices and Background Documents

Linked Report

- Committee on Standards in Public Life – Report on Local Government Ethical Standards (Standards Advisory Committee, 25 April 2019)

Appendices

- Appendix 1 – Best Practice Recommendations chart
- Appendix 2 – Draft amendment to Code of Conduct for Members

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

N/A