

Appendix A

Committee Standards on Public Life - Best Practice Recommendations

Recommendation	Progress of LBTH	Actions still to be taken
<p>(1) <i>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.</i></p>	<p>The current code of conduct for members contains a prohibition on bullying and this was updated to include harassment in the revised code as part of a wider review of the council's constitution in 2019. It is proposed to include Bullying and harassment in both the Offer/Member Relations Protocol and the Member's Code of Conduct</p>	<p>A definition and list of examples of these behaviours has been prepared and will be incorporated into the code.</p>
<p>(2) <i>Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial and malicious allegations by councillors.</i></p>	<p>The council's arrangements for dealing with complaints of the breach of code contain provisions designated to prohibit trivial and malicious allegations. The revised Code was updated to include a requirement to comply with any formal standards investigation as part of the wider review of the council's constitution in 2019.</p>	<p>NA (met).</p>
<p>(3) <i>Principle authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.</i></p>	<p>Code of conduct was reviewed as part of the wider review of the council's constitution in 2019.</p>	<p>A review of the code will be added to the SAC workplan for February 2021 and annually thereafter.</p>
<p>(4) <i>An authority's code should be readily accessible to both councillors and the public, in a prominent position on the council's website and available at the council's premises.</i></p>	<p>The code is easily accessible on the Members' Hub and the council website.</p>	<p>NA (met).</p>
<p>(5) <i>Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.</i></p>	<p>Gifts and hospitality are published online when they are received in a Word document. This is done as soon as they arrive and happens every quarter.</p>	<p>The SAC receive quarterly updates on Gifts and Hospitality.</p>

<p>(6) <i>Councils should publish a clear and straightforward public interest test against which allegations are filtered.</i></p>	<p>There is currently a section on the website explaining why some complaints may not be dealt with.</p>	
<p>(7) <i>Local authorities should have access to at least two independent persons.</i></p>	<p>The council has two independent persons.</p>	<p>NA (met).</p>
<p>(8) <i>An independent person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious or trivial.</i></p>	<p>The council's arrangements for dealing with complaints of breach of the code require the monitoring officer to consult the independent person when deciding what action (if any) should be taken in respect of the complaint. This includes where complaints are referred for local resolution, formal investigation or closed without further action.</p>	<p>NA (met).</p>
<p>(9) <i>Where the local authority makes a decision on the allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the independent person, the reasoning of the decision maker and any sanction applied.</i></p>	<p>The council's arrangements for dealing with breach of the code contain provision for the publication of decisions taken by the hearings sub-committee following consideration of an investigation report.</p>	
<p>(10) <i>A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process of handling complaints, and estimated timescales for investigations and outcomes.</i></p>	<p>The council's arrangements for dealing with complaints of the breach of code set out the process for handling complaints and contain estimated timetables for investigations and outcomes. The arrangements are easily accessible on the council's website.</p>	<p>The wording in the guidance is being updated and will include a process map to assist understanding of the process.</p>
<p>(11) <i>Formal standard complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.</i></p>	<p>RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL</p>	<p>RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL</p>

<p>(12) <i>Monitoring officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches of parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.</i></p>	<p>RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL</p>	<p>RECOMMENDATION DOES NOT APPLY - NO PARISH COUNCIL</p>
<p>(13) <i>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.</i></p>	<p>This has not yet been addressed.</p>	<p>The council's arrangements for dealing with complaints of breach of the code will be revised to include a specific provision to address conflicts of interest. This will be added to the SAC workplan for February 2021.</p>
<p>(14) <i>Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.</i></p>	<p>This has not yet been addressed.</p>	<p>The Head of Democratic Services and the Head of Audit wil consider this recommendation and bring a report to SAC in November.</p>
<p>(15) <i>Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.</i></p>	<p>The council's Monitoring officer(MO) and S.151 officer meet twice a month and standards issues are addressed at these meetings. The MO also meets the group leader and whip to discuss any standard issues.</p>	<p>NA (met).</p>