

Feedback from the Ethical Standards Workshop held on 25<sup>th</sup> September 2019

<p><b>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.</b></p>
<ul style="list-style-type: none"> <li>• SCC current code is not detailed enough.</li> <li>• ACAS definition included with the review document should be included within the Code of Conduct.</li> <li>• Examples should be included as an appendix to the Code (should be made clear that the examples are not an exhaustive list!).</li> <li>• The NALC model code had no definition. This should be a question to NALC.</li> </ul>
<p><b>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.</b></p>
<ul style="list-style-type: none"> <li>• Provisions should be included in SCC Code.</li> <li>• All Members should be asked to sign up to comply with the sanctions.</li> <li>• Should follow the wording on P.41 of the review document.</li> <li>• Should apply to the whole code.</li> </ul>
<p><b>3. Principal authorities should review their Code of Conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.</b></p>
<ul style="list-style-type: none"> <li>• A system should be devised that is as inclusive as possible to get the views of the public.</li> <li>• Carry out consultation with disability groups etc.</li> <li>• Possible online consultation that is open all year round, requesting feedback on Councillors and the Code of Conduct.</li> <li>• Consider how to reach those who don't have online access.</li> </ul>
<p><b>4. An authority's code of Conduct should be readily accessible to both Councillors and the public, in a prominent position on the Council's website and available in Council premises.</b></p>
<ul style="list-style-type: none"> <li>• Consider providing hard copies in libraries, First Point etc.</li> </ul>
<p><b>5. Local authorities should update their gifts and hospitality register at least once per quarter and publish it in an accessible format, such as CSV.</b></p>
<ul style="list-style-type: none"> <li>• £50 is too high, should be amended to £25 to match staff.</li> </ul>
<p><b>6. Councils should publish a clear and straightforward public interest test against which allegations are filtered.</b></p>
<ul style="list-style-type: none"> <li>• The Northern Ireland definition on p.53 of the review report is simple and would work well.</li> <li>• Would be useful to look to see if there are any other examples.</li> </ul>

<ul style="list-style-type: none"> <li>The criteria for the test would need to be made clear – possible publication of how many points would need to apply.</li> </ul>
<b>7. Local authorities should have access to at least two Independent Persons.</b>
<ul style="list-style-type: none"> <li>Possibly look at increasing the number – but no more than 4.</li> </ul>
<b>8. 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.</b>
<ul style="list-style-type: none"> <li>Agreed – should be written into the procedure.</li> </ul>
<b>9. Where a local authority makes a decision on an 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.</b>
<ul style="list-style-type: none"> <li>More information on the website regarding complaints over and above the complaint form and guidance e.g. what sort of evidence would be taken into account.</li> <li>Add a link to the Code of Conduct from the councillor page of the website.</li> </ul>
<b>10. 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 for handling complaints and estimated timescales for investigations and outcomes.</b>
<ul style="list-style-type: none"> <li>See 9 above.</li> </ul>
<b>11. Formal standards 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.</b>
<ul style="list-style-type: none"> <li>A robust system would need to be in place for it to work.</li> </ul>
<b>12. Monitoring Officer roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.</b>
<ul style="list-style-type: none"> <li>It was felt that a financial contribution could cause precepts to be increased.</li> <li>An annual fee could be charged to PC's.</li> </ul>
<b>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.</b>
<ul style="list-style-type: none"> <li>This was a good idea as it was better to be independent.</li> <li>Could be written into the procedure.</li> <li>Depending on the level of conflict Deputy Monitoring Officer could be used.</li> </ul>

- Use the reciprocal arrangement with Barnsley MBC.

**14. 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, minutes and annual reports in an accessible place.**

- Not Green - should be white, as no bodies currently meeting the criteria.
- Should look at having measures in place just in case.

**15. Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.**

- All groups were invited to send a representative to the Whips meeting.

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