

Government Consultation in relation to strengthening the standards and conduct framework for Local Authorities in England.

1. Aim

- 1.1 To inform members about the open consultation being conducted by the government in relation to the standards regime with a view to strengthening the conduct framework.

2. Summary

- 2.1. The Government is carrying out consultation in relation to strengthening the Standards Regime implemented under the Localism Act 2011. The purpose of the consultation is to consider whether or not the current sanctions available under the standards regime are sufficient, the introduction of a national mandatory code of conduct for all Local Authorities in England amongst other proposals.

3. Recommendations

- 3.1 That the committee note the report.

4. Report Detail - Know

- 4.1 The Government Consultation commenced on the 18th December 2024 and is due to conclude on the 26th March 2025. The Monitoring Officer wrote to all elected members and the Independent Members on the 7th January 2025 to notify them of the consultation and encouraging them to participate in the same. The consultation is seeking views on introducing measures to strengthen the standards and conduct regime in England and ensure consistency of approach amongst councils investigating serious breaches of their member codes of conduct, including the introduction of the power of suspension.

Specific proposals being consulted upon for legislative change include:

- the introduction of a mandatory minimum code of conduct for local authorities in England
- a requirement that all principal authorities convene formal standards committees to make decisions on code of conduct breaches, and publish the outcomes of all formal investigations
- the introduction of the power for all local authorities (including combined authorities) to suspend councillors or mayors found in serious breach of their code of conduct and, as appropriate, interim suspension for the most serious and complex cases that may involve police investigations

- a new category of disqualification for gross misconduct and those subject to a sanction of suspension more than once in a 5-year period
- a role for a national body to deal with appeals

4.2 In addition, the consultation seeks views on how to empower victims affected by councillor misconduct to come forward and what additional support would be appropriate to consider.

4.3 Local government is a devolved matter. This consultation applies to England only, other than where it applies to Police and Crime Panels which where it applies to England and Wales, as policing is reserved.

5. Financial information

5.1 None contained within this report.

6. Legal implications

6.1 The council must promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging its duty under subsection, a relevant authority must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. The Councillor Code of Conduct is underpinned by the Nolan Principles of standards in public life.

7. Decide

7.1 The committee is asked to approve the recommendations as set out in Paragraph 3.

8. Respond

8.1 It is hoped that as many elected members as possible participate in the consultation process.

9. Review

9.1 The Council will monitor the progress of the consultation and any outcomes that arise from it. The Monitoring Officer will report back to the Standards Committee when the outcomes from the consultation process are finalised, and will monitor any proposed changes to the legislation regarding the standards regime when they are published. The Monitoring Officer will also inform all elected members of the conclusions of the consultation and any proposed changes to the standards regime going forward.

Background papers - none

Tony Cox Director of Governance

Email: Anthony.Cox@walsall.gov.uk