

## Appendix 1

	Recommendations from CSPL:-	Comments/ updates
R1	The LGA (the Local Government Association) create an update model code of conduct in consultation with representative bodies of councillors and officers of all tiers of local Government	<p>For noting - Working with the LGA MHCLG (Ministry of Housing, Communities and Local Government) and the Framework Review Panel have commissioned external organisations to consult and prepare a draft national model code of conduct for consideration and, it is proposed, universal adoption across all Councils in the country.</p> <p>The draft model code is in the early stages and is planned to be launched at the LGA Annual Conference in July 2020. There will, however be an opportunity to comment upon the draft code before then. (It will be a decision for this Authority whether or not to adopt the national code should one be approved and recommended for adoption): The principle of a national code has the advantage of ensuring a consistent level of standards of behaviour across the country. Members should note that there is no suggestion of moving back to a central regulatory body, any Code will continue to be managed at a local level.</p>
R2 - 4	<p>Removal of requirement to disclosing home address on register of interests</p> <p>Provisions in respect of presumption of acting in their official capacity</p>	For noting - Requires legislative changes
BP1	Prohibitions on bullying and harassment	For noting - Expected in draft LGA Model Code of Conduct.
BP2	A requirement to co-operate with Standards investigations and prohibiting malicious/ trivial allegations	For noting - Expected in draft LGA Model Code of Conduct.
BP3	Have local engagement with annual review of local code	For noting - There is a possible conflict here with the proposal for a national code.

		Adoption of any national code will be a matter for full Council.
BP4	Making any code accessible to local people	For noting - The Code of Conduct, reporting processes and contact details are readily accessible on the Council's web-site.
R5	Extend disclosable pecuniary interests to include unpaid directorships, trusteeships, management roles in a charity or body of a public nature and membership of an organisation that seek to influence opinion or public policy	For noting - Requires legislative changes
R6	Provisions about the Register of Gifts and Hospitality	<p>For decision - A copy of this protocol is attached at <b>Appendix 2</b>. Members are asked to consider the current Guidance and consider whether or not the current maximum value of £25 for any gift or hospitality should remain at this level or be increased to £50 (for a single item/ no more than £100 in a year from a single source) and amended to provide for recommended quarterly updates and ask the Monitoring Officer to report on declarations made during 19/20 at the next meeting of this committee.</p> <p>(Members should note that during the Induction Process for new Councillors after elections in May 2019 training on conduct was provided by Bethan Evans, an eminent local Government Solicitor, who commended the Council's current Protocol on Gifts and Hospitality as being clear and detailed.)</p> <p>For noting - This will be linked to and included in the draft LGA Model Code of Conduct</p>

BP5	Update the Gifts and Hospitality Register at least quarterly and publish	For noting - The Council's Committee Management System will record and, subject to Members' approval, publish these interests. The review system will be on disclosure rather than quarterly by the Monitoring Officer or a Deputy Monitoring Officer
R6	A public interest test to give confidence to those making complaints that they will be dealt with fairly and consistently.	For decision - The Monitoring Officer proposes that Members accept the principle of this to ensure consistency but agree that the incorporation of this is delayed until the Model Code of Conduct has been published/ approved and then if necessary the review process can be amended to take into account the provisions of the new model code.
R7	Provisions to exclude a member from participating in debate or voting "if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision-making in relation to that matter"	For noting - Requires legislative changes
BP7	Independent Person recruitment	<p>For noting - The Monitoring Officer is currently planning the recruitment of 2 Independent Persons and is in dialogue with the current Independent Person to make sure that the recruitment process reaches as wide an audience as possible. An update on the recruitment will be reported to the next committee.</p> <p>For decision - members are asked to nominate the Chair and/or another representative nominated by her to sit on the recruitment panel with the Monitoring Officer/ Deputy Monitoring Officer before making a recommendation to Council upon preferred candidates.</p>

R8	Independent Persons to be appointed for a fixed term of 2 years renewable once	For noting - requires legislative changes
BP8	Consulting the Independent Person	<p>For approval - The headings required in any report are proposed as follows:</p> <ol style="list-style-type: none"> <li>1. Name of Authority - Parish/ Town/ Borough Council</li> <li>2. Name of Independent Person consulted</li> <li>3. Date of complaint</li> <li>4. Date of discussion with Independent Person (including whether face to face or otherwise - skype/ telephone)</li> <li>5. Summary of the complaint - could include relevant information submitted with the complaint - suitably redacted if appropriate</li> <li>6. Identification of the relevant provisions of the relevant Authority's Code of Conduct</li> <li>7. Summary of the Monitoring Officers thoughts on the matter</li> <li>8. The decision - this should be sent to the Independent Person for confirmation that this properly represents the view that they have given</li> <li>9. Record of next steps</li> </ol>
R9/15	<p>Update the Local Government Transparency Code to provide that the review of the Independent Person in relation to a decision on which they are consulted should be formally recorded in any decision notice or minutes</p> <p>... and to publish complaints numbers with defined details</p>	For noting - This is statutory guidance produced by the Secretary of State which can only be amended by the Secretary of State
R10	A suspension could only be undertaken where an Independent Person agrees	For noting - requires legislative changes

	with the finding of a breach and the proportionality of the suspension sanction	
R11	Provides for indemnity to an Independent Person in certain circumstances	For noting - requires legislative changes
R12	Provisions to extend the voting members of a Standards Committee to include independent members (distinct from an Independent Person) and Parish Councillors	For noting - requires legislative changes
R13/14	Introduces a right of appeal to the Local Government Ombudsman and for them to investigate and impose a binding decision on the local authority	For noting - requires legislative changes
BP9	Publicity on decisions - to include a statement of the facts, the provisions of the code engaged by the allegations, the view of the independent person, the reasoning of the decision-maker and the sanction applied	For decision - as above if members agree with this recommendation it is proposed that this provision is incorporated into the Hearings Sub Committee terms of reference and ensuring that the Monitoring Officer ensures that this decision is included on the Council's web-site after the time period to submit an appeal has passed or an appeal has been rejected by the Local Government Ombudsman.
BP10	Guidance on making a complaint	For noting - Guidance on making a complaint is readily accessible on the Council's web-site.
R16	Local authorities given power to suspend Councillors, without allowances, for up to 6 months	For noting - requires legislative changes
R17	Government to clarify if Council can bar councillors from council premises or withdraw facilities as sanctions	For noting - requires legislative changes
R18	Criminal sanctions relating to DPI's should be abolished	For noting - requires legislative changes

R19	Parish Clerks should be appropriately qualified	For noting - requires legislative changes
BP11	Rules on managing complaints about the conduct of a member towards a clerk	For noting - Expected in draft LGA Model Code of Conduct
BP12	Monitoring Officer to provide advice support and management of investigations and adjudications on alleged breaches to Parish Councils with adequate, training, corporate support and resources to undertake this work.	For noting - currently delivered within existing resources
R20	Parish Councils to adopt the code of conduct of their principal authority	For noting - requires legislative changes
R21	Sanctions to be imposed on a Parish Councillor in the event of finding of a breach is to be determined by the principal authority	For noting - requires legislative changes
BP13	Managing conflict of interest including reciprocal arrangements- asking an MO from another authority to investigate	For noting - Discussions have previously been held with Shropshire Council to discuss, in principle, reciprocal arrangements. These did not progress at the time. Given the nature of the Council's there are real challenges to ensure equitable sharing of resources. Depending upon the seriousness of the allegations there is also the option of external, and skilled investigators. There is an active market for this service in the private sector - this might often provide a better solution for the graver allegations which might require external investigation
R22	Extend employment protection to statutory officers beyond dismissals to all disciplinary action.	For noting - requires legislative changes
R23	Update the Local Government Transparency Code to provide that LA's must ensure that their whistle-blowing policies specifies a named contact for the	For noting - This is statutory guidance produced by the Secretary of State which can only be amended by the Secretary of State

	external auditor ... and is made available on the Council's web-site	
R24	Councillors should be listed as "prescribed persons" for the purposes of the Public Interest Disclosure Act 1998 - persons who a worker may approach outside their workplace to report suspected or known wrong-doing	For noting - requires legislative changes
BP14	Councils reporting on separate bodies established / incorporated into their Annual Governance Statement and explain their relationship with them. Also those organisations should abide by Nolan Principles and publish Board agendas and minutes and annual reports in an accessible place	For noting - work is on-going in respect of this recommendation
BP15	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues	For noting - Group Leaders/ whips to be approached. Any updates on feedback to this will be provided verbally to the meeting
R25	Councillors should be required to attend formal induction training by their political groups. National parties should add such a requirement to their model group rules	For noting - Action required by national parties.
R26	LGA corporate peer reviews should include consideration of a local authority's processes for maintaining ethical standards	For noting - Action required by the LGA