



# B O S T O N

## B O R O U G H C O U N C I L

REPORT TO:	STANDARDS SUB COMMITTEE
DATE:	20 FEBRUARY 2020
SUBJECT:	CIVILITY IN PUBLIC LIFE AND REVIEW OF THE MODEL CODE OF CONDUCT
PORTFOLIO HOLDER:	N/A
REPORT AUTHOR:	DEMOCRATIC SERVICES MANAGER
EXEMPT REPORT?	NO

### **SUMMARY**

To consider a report issued by the Local Government Association on Civility in Public Life and the Review of the Model Code of Conduct.

### **RECOMMENDATIONS**

1. To note the report
2. That the Model Code of Conduct be considered by the Standards Sub Committee once published.

### **REASONS FOR RECOMMENDATIONS**

To provide an update on a forthcoming review by the Local Government Association.

### **ALTERNATIVES CONSIDERED**

None.

## REPORT

1. The Local Government Association (LGA) has recently issued a report on Civility in Public Life and a review of the model code of conduct in response to growing concerns about the impact an increasing level of public intimidation and toxicity of debate is having on the Country's democratic processes, particularly at a local level. A copy of the report is attached at Appendix A.

### 2. Civility in Public Life

2.1 The LGA report highlights that the increasing incidents of public intimidation and abuse against those in public office are a growing concern. The attacks risk the personal safety of councillors, undermine local democracy and decision making and can deter prospective candidates from standing.

2.2 Concern has also been raised about incidents of intimidation within councils, involving councillors as well as officers. If decent standards of behaviour are expected from members of the public when they engage with councillors, then good standards of behaviour need to be modelled within the council.

2.3 To address the issue the LGA has embarked on a programme of work:-

- To articulate what local government believes are good standards for anyone engaging in public and political discourse and debate, and what is needed to achieve these standards;
- To show leadership at a local, national, UK-wide and international level in good standards of political debate, engagement and decision-making, demonstrating the positive impact it can have;
- To understand the scale and impact of intimidation and abuse behaviour councillors are experiencing;
- To challenge the 'new-norms' of intimidation, abuse, threats and aggressive behaviour by many engaging in political and public discourse;
- To demonstrate the impact that intimidation and abusive behaviour in the political system and from the general public has on the democratic system, and recommendations for achieving positive debate and public engagement in local decision-making;
- To support councils in addressing intimidation and abuse;
- To enhance the reputation of local government and local politicians and encourage more people to become councillors by addressing the issues of intimidation and abuse;
- To support all democratically elected local representatives in delivering their best on behalf of their local communities;
- To build on the good practice that already exists within councils.

## 2.4 The programme of work will focus on:

### **Prevention**

- Improvement support and guidance for authorities, building on existing improvement and leadership programmes and the guide for councillors on handling intimidation.
- Desktop research into the prevalence, impact, good practice and international action on the intimidation of those in public office.

### **Support and intervention**

- The development of policy and legislative proposals with partners, government and stakeholders that address intimidation and standards of public discourse, particularly with a view to gaining a more consistent and robust response from the police and Crown Prosecution Service. This includes the proposal for a new criminal offence for intimidating a person in public office and engagement with the Police and Crime Commissioners.
- Exploring the potential for an informal council 'duty of care' towards its councillors as good practice.
- A revision of the local government model code of conduct with a view to promoting it as standard for all in public office.

### **Challenge**

- The development of a pan-UK commitment and public statement for discussion with the leaders of all the UK local government associations.
- Exploring opportunities for a public and political facing campaign.

### **Oversight**

- A small member led steering group will oversee the LGA civility in public life work programme to provide ongoing insight and commentary.

## **3. Review of the Model Code of Conduct**

- 3.1 The Local Government Association is reviewing and updating the member model code of conduct, which is suggested good practice and councils may adopt this code or their own local code.
- 3.2 The review is being undertaken in response to the recommendations made by the Committee on Standards in Public Life and to rising local government concern about the increasing incidence of public, member-to-member and officer/member intimidation and abuse and overall behavioural standards and expectations in public debate, decision making and engagement.
- 3.3 The LGA aims to develop a code that benchmarks a standard for all public office and for those engaged in public discourse and debate. It will set out the duties and expectations of persons in public office as well as their rights, particularly their right to be protected from abuse and intimidation resulting from their undertaking of public office.

- 3.4 The objectives in reviewing the model code of conduct are to:
- Articulate what local government believes are good standards for all in public office.
  - Show leadership in good standards of conduct for those in public office, both elected and as employees.
  - Achieve consensus between the stakeholders affected by local government conduct.
  - Support councils and partners in achieving a good standard of conduct.
  - Produce a code that is fit for purpose, useful and held in high regard.
  - Enhance the reputation of local government and local politicians.
  - Support the good running of councils.
  - Support all democratically elected local representatives to deliver their best on behalf of their local communities.
  - Build on the good practice that already exists within councils.
- 3.5 The process for review will involve the LGA working collaboratively with a range of officer and member stakeholders to gather evidence and opinion on what is needed in an updated and fit-for-purpose code, including considering the review into local government ethical standards undertaken by the Committee on Standards in Public Life.
- 3.6 A workshop will be held with members, officers and representative organisations as part of the broader LGA Civility in Politics work. From this exercise a collection of suggested propositions for inclusion in the final model code will be presented to the LGA Leadership Board, who will then prepare a draft model code for consultation.
- 3.7 The form of consultation has yet to be discussed and will be determined by how the model code develops. The LGA will use its existing methods of research, communication, and engagement with its membership, partners and stakeholders which could include conferences, round table events, regional meetings, online forums etc. with the aim of achieving as wide a sector engagement as possible. It is proposed that the consultation period should be a minimum of 8 weeks.
- 3.8 The outcome of the consultation and a draft final model code will be presented to the LGA Leadership Board for final discussion and onward recommendation to the LGA General Assembly in July for adoption.
- 3.9 Once the final model code of conduct has been published by the LGA it will be presented to the Standards Sub Committee for consideration.
- 3.10 A Member Working Group has been set up to review the current code of conduct. Any recommendations coming from the Working Group will be subject to the democratic process and final decision by full Council. However, the provisions within the model code of conduct will still be required to be considered once published in July.

**FINANCIAL IMPLICATIONS**

None.

**CLIMATE CHANGE IMPLICATIONS**

None.

**LEGAL & EQUALITY IMPLICATIONS**

Under the Localism Act 2011 the Council is required to have adopted a Member Code of Conduct.

**ANY OTHER IMPLICATIONS**

None.

**CONSULTATION**

No consultation undertaken.

**APPENDICES**

Appendices are listed below and attached to the back of the report: -

APPENDIX A	LGA Report – Civility in Public Life and Review of the Model Code of Conduct
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**BACKGROUND PAPERS**

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

**CHRONOLOGICAL HISTORY OF THIS REPORT**

A report on this item has not been previously considered by a Council body.