

Committee for Standards In Public Life – Best Practice Recommendations Action Plan

Best Practice Recommendation	Comment	Action Required	Update/progress
<p><u>Best Practice 1</u></p> <p>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.</p>	<p>The current Code of Conduct does not include prohibition on bullying or harassment.</p>	<p>Code of Conduct to be amended to include prohibition on bullying and harassment and examples of such behaviour.</p>	<p>Amended Code of Conduct to be considered by Standards Sub Committee on 1 August for agreement and referral to Council.</p>
<p><u>Best Practice 2</u></p> <p>Councils should include provisions in their code requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.</p>	<p>Code of Conduct does not include this provision.</p>	<p>Code of Conduct to be amended to include provisions.</p>	<p>Amended Code of Conduct to be considered by Standards Sub Committee on 1 August for agreement and referral to Council.</p>
<p><u>Best Practice 3</u></p> <p>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.</p>	<p>The Code of Conduct was last reviewed in January 2019.</p> <p>Views from the public etc. have not previously been sought.</p>	<p>Process to be put in place to review Code of Conduct annually.</p>	

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<p><u>Best Practice 4</u></p> <p>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 in council premises.</p>	<p>The Code of Conduct is published on the website as part of the Constitution and as a separate document on the councillors page, together with a complaints form.</p> <p>A copy of the Code is also provided to all councillors on election as part of the induction pack.</p> <p>A hard copy would be provided on request at the Council Offices.</p> <p>Parish Council Codes of Conduct are not always readily accessible on the Parish Council website.</p>	<p>Monitoring Officer to write to Parish Councils advising them to ensure Code of Conduct is published.</p>	
<p><u>Best Practice 5</u></p> <p>Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.</p>	<p>The register is updated when notification is received from Councillors that they have been offered gifts or hospitality.</p> <p>The register is not currently published on the website.</p>	<p>Process to be put in place to remind councillors to register gifts and hospitality received each quarter and publish it on the website in an accessible format.</p>	

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<p><u>Best Practice 6</u></p> <p>Councils should publish a clear and straightforward public interest test against which allegations are filtered.</p>	<p>The approved arrangements for dealing with complaints includes tests to be applied when filtering complaints, however could be improved to include the provisions set out in the CSPL report.</p>	<p>Arrangements for dealing with complaints to be amended to incorporate the 'public interest' test referred to in the report.</p>	
<p><u>Best Practice 7</u></p> <p>Local authorities should have access to at least two Independent Persons.</p>	<p>The Council has already agreed that at least one additional Independent Person should be appointed. However, recruitment has proved difficult to date.</p>	<p>A further recruitment exercise to be undertaken to appoint additional Independent Persons.</p>	<p>Report to be considered by the Standards Sub Committee on 1 August on Recruitment and Remuneration of Independent Persons.</p>
<p><u>Best Practice 8</u></p> <p>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.</p>	<p>The approved arrangements for dealing with complaints includes a requirement for the Monitoring Officer to consult the Independent Person when making an initial assessment of the complaint.</p>	<p>None.</p>	

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<p><u>Best Practice 9</u></p> <p>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.</p>	<p>The approved arrangements for dealing with complaints already requires the Monitoring Officer to prepare a formal decision notice following consideration of an allegation by the Assessment Panel or a Hearing.</p> <p>The decision notice of an Assessment Panel is required to be sent to the complainant, the subject member and the clerk of the appropriate parish council within 5 working days of the Panel meeting.</p> <p>The decision notice from a Hearing is required to be sent to the complainant, subject member and Chief Executive and published on the Council's website within 20 working days of the Hearing.</p>	<p>None.</p>	
<p><u>Best Practice 10</u></p> <p>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.</p>	<p>The council already has accessible guidance on its website on how to make a complaint (including an on-line form) and arrangements for dealing with complaints and timescales.</p>	<p>None.</p>	

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<p><u>Best Practice 11</u></p> <p>Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chairman or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.</p>	<p>The Council does not have the power to require parish councillors to submit complaints on behalf of the clerk, but it can put in place processes to support this and set out expectations to parish councils.</p>	<p>Arrangements for dealing with complaints to be amended to make it clear complaints about the conduct of a parish councillor towards a clerk can and should be made by the Chairman or parish council as a whole.</p> <p>Monitoring Officer to write to parish councils to notify them and request they put processes in place to enable this to happen.</p>	
<p><u>Best Practice 12</u></p> <p>Monitoring Officers' 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.</p>	<p>Complaints made about parish councillors are investigated in accordance with the approved arrangements for dealing with complaints. Lack of resources has not been an issue to date.</p> <p>The Monitoring Officer attends training on relevant matters, including ethical conduct. A Deputy Monitoring Officer is also in place to provide additional support and capacity.</p> <p>There is insufficient capacity internally to conduct the majority</p>	<p>Keep a watching brief on resources particularly in light of budget reductions and efficiencies which may impact on the resources available to the Monitoring Officer.</p>	

	of standards investigations. The approved arrangements allows for the appointment of external investigators.		
<p><u>Best Practice 13</u></p> <p>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.</p>	<p>Deputy Monitoring Officer in place to deal with complaints where the Monitoring Officer has a conflict of interest. Investigations can and have been outsourced to an external investigator.</p> <p>Monitoring Officers from other authorities are unlikely to have sufficient resources to carry out investigations for others.</p>	<p>Approved arrangements for dealing with complaints to be amended to set out the options available in the case of a conflict of interest.</p>	
<p><u>Best Practice 14</u></p> <p>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 format.</p>	<p>The Council has not set up separate bodies.</p>	<p>The Monitoring Officer to request the Council's Chief Finance Officer to include relevant provisions in the annual Governance statement in the event separate bodies are set up.</p> <p>To require any separate bodies set up in the future to abide by the Nolan principles and publish agendas and minutes.</p>	

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<p><u>Best Practice 15</u></p> <p>Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.</p>	<p>There are regular meetings between the Chief Executive, Monitoring Officer and political group leaders where standards issues can be discussed.</p>	<p>Include standards issues as a standing item on agendas for meetings with group leaders.</p>	