

Democracy and Standards Committee

3rd February 2025

Report Title	Consultation on Strengthening the standards and conduct framework for local authorities in England
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Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	
Which Corporate Plan priority does the report most closely align with? Our priorities for the future North Northamptonshire Council (northnorthants.gov.uk)	Modern public services

List of Appendices

Appendix A – Consultation Questions (Extract)

1. Purpose of Report

- 1.1. This report sets out the details of a government consultation on the subject of strengthening the standards and conduct framework for local authorities in England, it invites the Committee to provide a consensus on the response to be submitted on behalf of the Council.

2. Executive Summary

- 2.1. The Government opened a consultation on 18th December running until 26th February 2025 seeking views on strengthening the standards and conduct framework for local authorities in England.
- 2.2. The area of the consultation was a topic of national interest arising from the report of the Committee of Standards in Public Life (CSPL) relating to ethical standards in public life
- 2.3. The report of CSPL made a series of recommendations; some best practice which could be adopted locally without changes required to legislation other recommendations were made which would require a change in legislation.

Following receipt of the report and recommendations it was indicated that the Government would not be making legislative changes arising from the report and its recommendations.

- 2.4. Many of the recommendations arising from the CSPL report requiring legislative changes have been captured within this open consultation. A copy of the consultation is shown at Appendix A and the Committee is invited to provide views on the consultation on behalf of the council.

3. Recommendations

- 3.1. It is recommended that the Democracy and Standards Committee:
 - (a) Note the government consultation on the subject of standards and conduct in local government;
 - (b) Provide views on the consultation to inform the response to be submitted on behalf of the Council to the consultation; and
 - (c) Delegate authority to the Monitoring Officer in consultation with the Chair of Democracy and Standards to submit the response on behalf of the authority based on the consensus view.
- 3.2. Reason for Recommendations – This is a high-profile consultation which has been highlighted as an area for reform to improve engagement in particular within local government. The Committee is invited to provide a consensus view to facilitate a response to the consultation on behalf of the council. Any changes to legislation arising from the outcome of this consultation would need to be considered by this committee, Council and changes to the Constitution to be made to reflect any updates to legislation or best practice recommendations.
- 3.3. Alternative Options Considered – The option to not to provide an update to the committee was considered and rejected on the basis that this consultation links directly to the activities of this committee and looks to promote engagement in local government. The option to update the committee and not invite a response was considered and rejected on the basis this does not promote the views of the Council in this consultation and the work directly linked to the activities of this Committee.

4. Report Background

- 4.1. This consultation seeks 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.
- 4.2. The Localism Act 2011 established the current standards and conduct framework for local authorities. The current regime requires every local authority to adopt a code of conduct and set out rules on requiring members to register and disclose pecuniary and non-pecuniary interests. Beyond these requirements, it is for individual councils to set their own local code. In 2021

the Local Government Association (LGA) published an updated model code of conduct and guidance and North Northamptonshire Council adopted the model code as the best practice standards.

- 4.3. There is no provision in current legislation for a sanction to suspend a councillor found to have breached the code of conduct. Sanctions for member code of conduct breaches have been subject to criticism due to the limited extent when compared to the pre 2011 arrangements.
- 4.4. The current consultation highlights that the government consider the current local authority standards and conduct regime is in certain key aspects ineffectual, inconsistently applied, and lacking in adequate powers to effectively sanction members found in serious breach of their codes of conduct.
- 4.5. Specific proposals being consulted upon for legislative change include:
 - a) the introduction of a mandatory minimum code of conduct for local authorities in England
 - b) 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
 - c) 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
 - d) a new category of disqualification for gross misconduct and those subject to a sanction of suspension more than once in a 5-year period
 - e) a role for a national body to deal with appeals
 - f) 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
- 4.6. Members are reminded that any changes arising from this consultation will require changes to legislation. The consultation is open but views are specifically sought from individual members of the public; prospective and current local authority members/representatives; all relevant local authorities; and those bodies that represent the interests of local members/representatives at all levels.

5. Issues and Choices

- 5.1. The consultation consists of 39 questions, which are shown in full at Appendix A with the associated commentary shown.
- 5.2. It is recommended that the Democracy and Standards Committee provide a response to the consultation on behalf of the council to the questions relevant to the authority.

- 5.3. As with earlier consultations prior to submitting the response on behalf of the Council, to ensure as wide as possible response within the area, Councillors of North Northamptonshire Council will be made aware of the consultation through the Councillor communications such as the Councillor bulletin upon the publication of this report. Councillors will be invited to share their views with the representatives on the committee. Councillors will be informed that they are permitted to submit their individual responses.

6. Next Steps

- 6.1. Upon the views of the Committee being shared it is recommended that the Committee delegate responsibility to the Monitoring Officer in consultation with the Chair of the Committee to submit a response to the consultation on behalf of the authority.

7. Implications (including financial implications)

7.1. Resources and Financial and Transformation

- 7.1.1. There are no arising resources, financial and transformation implications arising from the consultation response however a change to the legislation requiring further consideration by the Committee and in turn the Council will have implications under this heading.

7.2. Legal and Governance

- 7.2.1. The Council complies with its legislative obligations set out in the Localism Act 2011. This consultation seeks views to determine whether changes are required and in turn legislation. The Monitoring Officer will consider any legislative changes which may arise from this consultation and update the committee and where appropriate Council on proposed constitutional changes to be considered arising from any changes in legislation and to determine local arrangements.

7.3. Relevant Policies and Plans

- 7.3.1. There are no relevant policies or plans linked to this consultation stage.

7.4. Risk

- 7.4.1. There are no significant risks arising from the proposed recommendations in this report.

7.5. Consultation

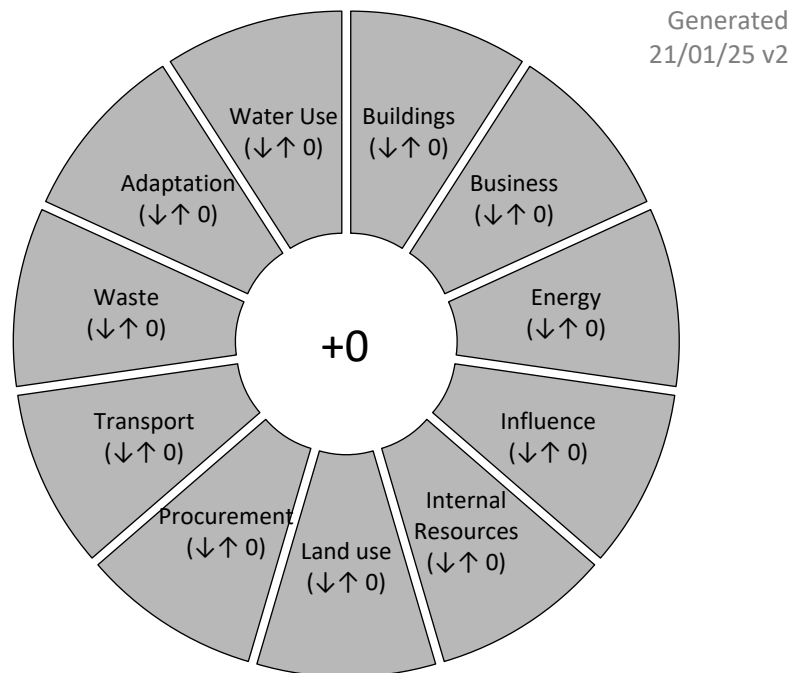
- 7.5.1. Upon publication of this report, all North Northamptonshire Councillors will be made aware of this consultation and invited to share their views with the representatives on the Democracy and Standards Committee.
- 7.5.2. Further engagement is planned upon the publication of this report to share the updates with NCALC for circulation and distribution within their network as appropriate.

7.6. Equality Implications

7.6.1. There are no arising equality implications from this consultation stage however any changes to legislation requiring consideration by the council will be likely to contain equality implications.

7.7. Climate Impact

7.7.1. There are no arising climate impact implications from this consultation stage however any changes to legislation requiring consideration by the council may contain climate impact implications.



North Northamptonshire Council has committed to being a carbon neutral organisation by 2030, 4 yrs & 11 mos away.

7.8. Community Impact

7.8.1. There are no arising community impact implications from this consultation stage however any changes to legislation requiring consideration by the council will be likely to contain community impact implications.

7.9. Crime and Disorder Impact

7.9.1. There are no significant implications arising from this report relating to crime and disorder.

8. Background Papers

8.1. [UK Government Consultation - Strengthening the standards and conduct framework for local authorities in England \(link\)](#)