

CSPL local government ethical standards 15 best practice recommendations

1: 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.

Progress: These are already incorporated onto the Council's Code of Conduct.

2: Councils should include provisions in their code of conduct **a)** requiring councillors to comply with any formal standards investigation, and **b)** prohibiting trivial or malicious allegations by councillors.

Progress: a) implemented

b) to be considered in New Model Code as adopted locally – see 3 below.

Meanwhile there is a filter for trivial or malicious allegations by any party in the Council's adopted "Arrangements for Handling Complaints against Members" under the Localism Act 2011.

3: 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.

Progress: The Council has adopted a Code which was agreed by the Monitoring Officers of all Worcestershire Councils (County and District). It is accordingly discussed with other Worcestershire Monitoring Officers at their regular meetings. The Code will comply with statutory requirements and published to the public accordingly. The views of affected organisations will always be taken into consideration.

4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Progress: It is available on the website and on request at Council premises.

5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Progress: This is updated as populated and is published on the Council's website.

6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Progress: This is now included in the Council's published "Arrangements" for handling complaints against Members.

7: Local authorities should have access to at least two Independent Persons.

Progress: This is in Place.

8: 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.

Progress: This is already the case.

9: 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.

Progress: This would be done should the case arise but to date this has not been necessary.

10: 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.

Progress: These are published on the Council's website.

11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.

Progress: Noted.

12: 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.

Progress: This is already provided by the Principal Council.

13: 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.

Progress: See response to 3 above – the Worcestershire network of Monitoring Officers work very cooperatively in relation to any standards issues, including this or any other situation where a Monitoring Officer requires support or assistance from a fellow Monitoring Officer.

14: 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 place.

Progress: This has already been put in place for the Council's [RBC's] wholly owned Company.

15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

Progress: This is already standard practice within the Council.
