

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

15 September 2017

Local Ethical Framework Developments**1.0 PURPOSE OF REPORT**

- 1.1 To update Members on the development of the ethical framework under the Localism Act 2011.

2.0 BACKGROUND

- 2.1 Members receive a report at each Standards Committee meeting setting out any recent developments in the ethical framework.

3.0 EQUALITY AND HUMAN RIGHTS COMMISSION VOLUNTARY PRINCIPLES ON STANDARDS FOR POLITICAL DISCOURSE

- 3.1 The Equality and Human Rights Commission published a set of 'Voluntary principles on standards for political discourse' for political parties, candidates and campaigners in relation to the general election earlier this year, to support its belief that "...while political debates should be free and open, they should not create or worsen divisions in society..."

- 3.2 A copy of the principles is available to view on the Commission's website:

<https://www.equalityhumanrights.com/en/publication-download/voluntary-principles-standards-political-discourse>

- 3.3 It is suggested that the Authority maintains a strong ethical framework, shaped by its Code of Conduct and accompanying standards documents, underpinned by support from the Authority's leadership, which encapsulates the spirit of the Commission's Voluntary Principles.

4.0 CSPL ETHICAL STANDARDS FOR PROVIDERS OF PUBLIC SERVICES FOLLOW UP

- 4.1 The Committee on Standards in Public Life ("CSPL") is an advisory Non-Departmental Public Body (NDPB) sponsored by the Cabinet Office. The Chair and members are appointed by the Prime Minister. It advises the Prime Minister on national ethical standards issues regarding standards of conduct of public office holders. The CSPL terms of reference were amended in 2013 to cover all involved in delivering public services, not just those elected/appointed to public office.

- 4.2 The CSPL is currently undertaking a follow up review of its 2014 report 'Ethical standards for providers of public services' and 2015 guidance, to see if there have been any changes in how private/voluntary sector providers undertaking outsourced public services uphold the Nolan Principles and ethical standards. It will also assess how the CSPL guidance has been used and review how government has responded to its recommendations for transparent commissioning based on ethical expectations.

<https://www.gov.uk/government/news/ethical-standards-for-providers-of-public-services-follow-up>

4.3 Members will be kept informed of developments.

5.0 CSPL REVIEW – MEMBERS’ OUTSIDE INTERESTS

5.1 In 2009, the CSPL recommended that “MPs should not be prohibited from paid employment such as journalism outside the House, providing any such activity remains in reasonable limits. But it should be transparent and information about it should be drawn to voters’ attention at election time.”

5.2 The CSPL is undertaking a short review of MPs’ outside interests, to inform its submission on “reasonable limits” for such interests to the ongoing inquiry by the Commons Committee on Standards into the MPs’ Code of Conduct:

<https://www.gov.uk/government/news/mps-outside-interests-committee-announces-short-review>

5.3 For those wishing to contribute to the review, further information is available on the CSPL website:

<https://www.gov.uk/government/consultations/mps-outside-interests-cspl-review>

5.4 The review is open until 5pm on 13 September 2017. Members will be kept informed of developments.

6.0 CSPL REVIEW OF INTIMIDATION OF PARLIAMENTARY CANDIDATES

6.1 The Government has asked the CSPL to conduct a short review of intimidation of Parliamentary candidates and the broader implications of this for other public office holders:

“As an independent Committee, we will consider this issue on a non-partisan basis. Members of Parliament and candidates from a range of political backgrounds have been subjected to intimidation. It is important to shed light on these experiences to inform efforts to better protect those affected and at the same time maintain healthy, robust debate and legitimate scrutiny from the public and the press.

“In particular, we will want to examine how social media tends to amplify, intensify, and escalate some of the long-standing issues which the Committee has been concerned about.

“How those in public life and candidates for public office are treated inevitably has implications for standards in public life more broadly, including how public office holders relate to members of the public.

“We will announce our methodology for this review later this month. We would welcome contributions from anybody interested in this issue. The Committee is keen to encourage further debate and consideration of these important issues. Further information on how to contribute will be on our website.”

<https://www.gov.uk/government/news/intimidation-of-parliamentary-candidates-committee-announces-short-review>

<https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>

6.2 Members will be kept informed of developments.

7.0 CSPL REVIEW OF LOCAL GOVERNMENT STANDARDS

7.1 The CSPL has published its Strategic Plan, Annual Report for 2016-17 and Forward Plan for 2017-18. Copies can be found:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/626271/Setting_the_Standard_-_Strategic_Plan_Annual_Report_2016-17_Fwd_Plan_2017-18.pdf

7.2 The CSPL maintains a watching brief on the local government standards regime. In its 2013 report "Standards Matter" the CSPL outlined its concerns regarding possible issues re the local government standards framework under the Localism Act of 2011:

'The new, slimmed down arrangements have yet to prove themselves sufficient for their purpose. We have considerable doubt that they will succeed in doing so and intend to monitor the situation closely'.

7.3 The forward work programme includes a review of local government standards, upon which the CSPL intends to consult in early 2018 with a view to making findings and publishing recommendations later in 2018. Members will be kept informed of developments.

8.0 REGIONAL MEETING OF STANDARDS COMMITTEE CHAIRS, VICE-CHAIRS AND INDEPENDENT PERSONS

8.1 North Tyneside Council hosted a regional meeting of the Chairs, Vice-Chairs and Independent Persons of Standards Committee at 1pm on Monday 3 April 2017 at the Council offices. It was attended by Councillor Patmore, Louise Holroyd and Moira Beighton, on behalf of the County Council. An oral update will be given to the meeting.

9.0 RECOMMENDATIONS

9.1 That the Committee notes the contents of this report.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

Background Papers:

None

County Hall
NORTHALLERTON

5 September 2017