

# STANDARDS COMMITTEE



Report subject	<b>MHCLG Consultation: Strengthening the standards and conduct framework for local authorities in England</b>
Meeting date	21 January 2025
Status	Public Report
Executive summary	Standards Committee is invited to consider submitting a response to the MHCLG consultation launched on 18 December 2024, "Strengthening the standards and conduct framework for local authorities in England". The closing date for responses is 26 February 2025
Recommendations	<b>It is RECOMMENDED that:</b>  <b>Standards Committee considers the MHCLG Consultation and considers whether or not to submit a formal response prior to the closing date on 26 February 2025.</b>
Reason for recommendations	The Standards Committee is the custodian of the Code of Conduct and as such is appropriately placed to consider submitting a response to MHCLG. However this does not exclude any individual Councillor and or Officer from submitting a response.

Portfolio Holder(s):	
Corporate Director	Graham Farrant, Chief Executive
Report Authors	Janie Berry, Director of Law and Governance & Monitoring Officer
Wards	Council-wide
Classification	For Decision

## Background

1. BCP Council has adopted the LGA Model Code of Conduct and the Standards Committee acts as the custodian of the Code of Conduct as part of its role of promoting good ethical governance across the Council.
2. On 18 December 2024, MHCLG (Ministry of Housing, Communities and Local Government) launched a consultation seeking 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.<sup>1</sup>
3. MHCLG has advised that specific proposals being consulted upon for legislative change include:<sup>2</sup>
  - the introduction of a mandatory minimum code of conduct for local authorities in England
  - 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
  - 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
  - a new category of disqualification for gross misconduct and those subject to a sanction of suspension more than once in a 5-year period
  - a role for a national body to deal with appeals
  - 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.

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<sup>1</sup> MHCLG Consultation description

<sup>2</sup> MHCLG Consultation description

4. The Consultation can be found on the MHCLG website at the following link [Strengthening the standards and conduct framework for local authorities in England - GOV.UK](https://www.gov.uk/government/consultations/strengthening-the-standards-and-conduct-framework-for-local-authorities-in-england)
5. For ease of reference, a copy of the consultation questions appears at Appendix 1 of this report.

### **Options Appraisal**

6. In considering this report, the Standards Committee can choose to respond to the consultation or it may prefer alternative action such as encourage individual Councillors and Officers to respond or it may decide not to submit any form of response.

### **Summary of financial implications**

7. There are no financial implications directly arising from this report

### **Summary of legal implications**

8. The current standards and conduct framework arises from provisions in the Localism Act 2011. BCP Council has adopted the LGA Model Code of Conduct which was published by the LGA in 2021. The Code of Conduct, along with procedures to manage code of conduct complaints is incorporated into the Council's Constitution. At present there are no mandatory sanctions available to the Standards Committee in the event of a code of conduct complaint being upheld, whilst the Committee can make recommendations, there is no legal obligation on the subject Councillor to comply. Any changes to the Code of Conduct and or the procedure for managing code of conduct complaints must be approved by Council.

### **Summary of human resources implications**

9. There are no human resources implications directly arising from this report.

### **Summary of sustainability impact**

10. None directly arising from this report.

### **Summary of public health implications**

11. None directly arising from this report.

### **Summary of equality implications**

12. Whilst there are none directly arising from this report, question 40 of the consultation does seek views in respect of the Public Sector Equality Duty.

### **Summary of risk assessment**

13. None directly arising from this report.

### **Background papers**

BCP Council Constitution – Part 6: Code of Conduct and Procedure for the handling of code of conduct complaints -

## **Appendices**

Appendix 1 – MHCLG Consultation document [Strengthening the standards and conduct framework for local authorities in England - GOV.UK](#)