

Barrow Borough Council
Audit and Governance Committee
30 September 2021
Review of Standards Arrangements

Report from: Monitoring Officer

Report Author: Debbie Storr

Wards: Not applicable

1.0 Summary and Conclusions

1.1 That the Audit and Governance Committee considers a review of the Council's Standards Arrangements.

2.0 Recommendation

(1) It is recommended that the Audit and Governance Committee consider and review the Council's Standards Arrangements and whether it wishes to propose any changes with regard to the Council's existing Standards Arrangements.

3.0 Background and Proposals

3.1 The Council's standard arrangements were reviewed by Committee and Council in 2021. Complaints concerning member conduct to date have been considered under the delegated powers of the Monitoring Officer, and there have been no formal investigations which have necessitated a member hearing. Attached to this report are the Council's Standards Arrangements (Appendix 1).

3.2 It is appropriate for the Council's Standards Arrangements to be reviewed on a regular basis, and the arrangements have been considered in light of the Best Practice Recommendations arising from the Committee for Standards in Public Life Review of Ethical Standards (January 2019).

3.4 The updated action plan against the Best Practice Recommendations is shown at Appendix 2.

The Committee's Terms of Reference

3.5 The Audit and Governance Committee's terms of reference were revised in June 2020 to take account of standards arrangements a copy of which is attached at Appendix 3. The terms now include a hearings sub-committee to deal with any hearings required under the Council's standards arrangements. It is not considered that any further revisions are required at this time.

3.6 The role of the Independent Person

3.7 The Independent Person's views must be sought and taken into account before deciding on any allegation that has been the subject to a formal investigation and in accordance with the Council's standards arrangements.

3.8 Stephen Murray's appointment as Independent Person runs until 1 October 2021, and new appointments were made by Council in February 2021. The Independent Person is now Peter Kuit with Steve Forster, Reserve Independent Person. The Council can also call on the assistance of neighbouring authorities if support is required.

The Code and guidance

3.9 The Member Code of Conduct was reviewed and a revised version adopted by full Council in September 2020. The parish and town councils adopted the same code.

3.10. The Monitoring Officers within Cumbria discussed the model LGA code and fed back on the consultation process. This model code was finalised by the LGA in December 2020 and the Cumbrian Monitoring Officers have worked together on the Model Code to make appropriate local amendments (the Model Code is promoted as a template to be amended for local circumstances).

3.11 The Model Code of Conduct with suggested amendments is shown as Appendix 3. The amendments to the model code are shown via tracked changes to make it easier for Members to see where the suggestions have been made.

3.12 Whilst Members revised the Code to take account of the Best Practice recommendations, members are asked to consider the Cumbrian template and whether they wish to recommend this to Council.

3.13 If Members wish to consider this further then the Monitoring Officer will bring a report to the next meeting with revised guidance and recommendations for consideration prior to recommending to full Council.

Recommendations

3.11 Members are requested to consider the review of arrangements.

4.0 Consultation

All Borough councillors and Parish/Town Clerks were notified of the review of the standards arrangements by email on 25 August 2021 and invited to submit any comments to the Committee. The Independent Persons have also been consulted.

5.0 Alternative Options

5.1 The report is to consider and comment.

6.0 Contribution to Council Plan Priorities

6.1 Ethical standards underpin the governance controls of the Council.

7.0 Implications

Financial, Resources and Procurement

7.1.1 There are no finance or resource implications arising from this report.

Legal

7.1.2 There are no legal implications arising from this report. Any changes to standards arrangements must be in accordance with the relevant legislative requirements.

Equality and Diversity

7.2 Have you completed an Equality Impact Analysis? No – there are no issues to raise

Risk

Risk	Consequence	Controls required
That the Council is failing in its standards arrangements	Poor standards of behaviour – reputational	Monitor and review arrangements on a regular basis

Contact Officers

dstorr@barrowbc.gov.uk

Appendices Attached to this Report – *If none, please state none or delete section*

Appendix No.	Name of Appendix
1	Standards Arrangements
2	Best Practice Recommendations Action Plan
3	Model LGA code with Cumbria MO adaptations

Background Documents Available

Background documents available	
1. Local Government Ethical Standards – a Review by the Committee on standards in Public Life	https://www.gov.uk/government/publications/local-government-ethical-standards-report
2. Barrow Borough Council existing Member Code of Conduct	https://www.barrowbc.gov.uk/_resources/assets/attachment/full/0/8539.pdf