
Ethics Committee

12 September 2019

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Director of Finance and Corporate Services

Ward(s) affected:

None

Title:

Committee on Standards in Public Life: Annual Report for 2018-19

Is this a key decision?

No

Executive Summary:

This report is to outline the matters raised in the Annual Report for 2018-2019 of the Committee on Standards in Public Life and to inform the Ethics Committee of relevant matters of concern in their work area on a national level.

Recommendations:

The Ethics Committee is recommended to

- (1) note the content of the report and consider any points upon which it may wish to take action; and
- (2) request the Monitoring Officer to continue to monitor the national picture as regards standards and report back on any issue which may be of relevance to the Council on a local level.

List of Appendices included:

None

Other useful background papers: Committee on Standards in Public Life Annual Report July 2018-June 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/821702/CSPL_Annual_Report_18_19.pdf

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Committee on Standards in Public Life: Annual Report 2018-19

1. Context (or background)

1.1 The Committee on Standards in Public Life ('the CSPL') was set up in 1995. It monitors, reports and makes recommendations on all issues relating to standards in public life. This includes not only the standards of conduct of holders of public office, but all those involved in the delivery of public services. Its purpose is to help promote and maintain ethical standards in public life and thereby to protect the public interest through:

- monitoring standards issues and risks across the United Kingdom (by invitation in the devolved areas);
- conducting inquiries and reviews and making practical and proportional recommendations that are generally implemented;
- researching public perceptions on standards issues relating to specific areas of concern, and also over time.

Its terms of reference make it clear that it encompasses all involved in the delivery of public services, not solely those appointed or elected to public office.

1.2 Whilst it is a national body, having an overarching concern about public standards, its views and recommendations can be taken in account by local government and other organisations delivering public services when designing, implementing and monitoring their own ethical standards regime. The CSPL has undertaken and been involved in 4 key pieces of work in their financial year 2018-2019 (to which this report relates):

- Local Government Ethical Standards: report published in January 2019;
- AI and Public Standards: Launch of AI review in March 2019;
- Intimidation in Public Life: Follow up work with political parties and The Jo Cox Foundation; and
- MPs' outside interests: report published in July 2018.

The Committee has also been keeping a close watching brief on bullying and harassment in Westminster, reviewing responses and holding meetings with parliamentary authorities.

1.3 This report gives a very brief overview of the main areas of work of the CSPL over the last 12 months.

2 Options considered and recommended proposal

2.1 *Local Government Ethical Standards*

2.1.1 The main focus of the Committee's work was the review into local government ethical standards. The Committee launched the review on 29 January 2018. The report was not prompted by any specific allegations of misconduct but was more to check that the current framework was helpful in promoting and maintaining the

standards expected by the public. Ethics Committee will recall contributing to the consultation on the review.

- 2.1.2 The review was published on 30 January 2019. It considered the structures, processes, and practices for local government standards in England, including codes of conduct, sanctions, investigatory processes, the roles of Monitoring Officers, Clerks, and Independent Persons, and an ethical culture in local government. It did not propose a return to a centralised, standardised system, but produced recommendations intended to be implemented as a package to address the risks the Committee identified.
- 2.1.3 The report has been well received in the sector. Since publication, the Committee has followed up by liaising with leadership organisations in the sector, the Local Government Ombudsman and the Ministry of Housing, Communities and Local Government; and independent members have spoken at 5 conferences.
- 2.1.4 The Committee will review in 2020 councils' take up of their best practice recommendations.

2.2. *Artificial Intelligence and Public Standards*

- 2.2.1 In March 2019, the Committee launched a new review into whether the existing frameworks and regulations in relation to AI are sufficient to ensure that high standards of conduct are upheld as the use of these technologies becomes more widespread. The Committee has invited written submissions and undertaken a wide-ranging series of meetings with academics, AI professionals, and government officials to gain expert advice and obtain a clear picture of how AI will change public services and how it will affect public standards. The final report is expected in early 2020.

2.3 *Intimidation in Public Life*

- 2.3.1 The Committee's report on a review of intimidation in public life, with particular reference to the experience of Parliamentary candidates at the 2017 General Election was published in December 2017.
- 2.3.2 The Committee concluded that a significant number of Parliamentary candidates had experienced intimidation at the 2017 General Election, and that intimidation was already affecting other public office-holders and having a wider effect on public life. It looked specifically at the role of social media; political parties; law, policing and prosecution; and the wider responsibility of those in public life.
- 2.3.3 The report made 33 recommendations to government, social media companies, political parties, press organisations, MPs, candidates and other public office-holders. The Government responded formally to the report on 7 March 2018 committing to action on most of the recommendations made to government and again in March 2019, updating action taken in response to the report.

2.3.4 The Committee has been working with political parties on a joint approach to tackling intimidation and has recently announced on that The Jo Cox Foundation had agreed to act as an independent third party to support this work. The Committee will be working with The Foundation and political parties holding seats in Westminster to draw up a joint standard on intimidatory behaviour to encourage cross-party consensus to recognise and address this issue.

2.4 *MPs' Outside Interests*

2.4.1 The Committee published its report on MPs' Outside Interests in July 2018. The 2 report recommended a package of important reforms to ensure that MPs' outside interests remain within reasonable limits. These included:

- Revising the Code of Conduct for MPs, so that outside roles, whether or not they are paid, do not prevent MPs from undertaking the range of duties expected of them in their primary role as an MP.
- To facilitate greater transparency of the registration and declaration of interests, the Register of Members' Financial Interests must be more accessible, searchable and usable.
- The Cabinet Office should issue guidance to Parliamentary candidates on the registration of outside interests, so voters know whether candidates intend to carry on any of their existing jobs if they are elected.

2.4.2 Most of the recommendations require a change to the Code of Conduct and Guide to the Rules relating to the Conduct of Members. The Commons Committee on Standards has said that it proposes to undertake a comprehensive review of the Code of Conduct and Guide to the Rules, involving public consultation and has also published its response to the report.

2.5. *Future Work*

2.5.1 The Committee has indicated that in the coming year, which marks 25 years of the Nolan Principles, it intends to re-test the Principles to see if they are still relevant. In addition, it will be working with an academic to review the "standards landscape" and to set out the role, functions, status, powers and history of bodies responsible for upholding standards across public life.

2.6 *Recommendations*

The Ethics Committee is recommended to

- (1) note the content of the report and consider any points upon which it may wish to take action; and
- (2) request the Monitoring Officer to continue to monitor the national picture as regards standards and report back on any issue which may be of relevance to the Council on a local level.

3. Results of consultation undertaken

- 3.1 There has been no consultation as there is no proposal to implement at this stage which would require a consultation.

4. Timetable for implementing this decision

- 4.1 Not applicable

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

The Council's current standards regime complies fully with the Localism Act 2011. However, the implications of the Annual Report are that the Ethics Committee may wish to continue to monitor how the follow up work on the report on local government ethical standards progresses.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report, but the Ethics Committee may wish to consider the wider impact of the damage to public confidence in the elected membership of the Council if the ethical standards framework is not perceived as transparent and effective.

6.3 What is the impact on the organisation?

There is no immediate impact on the organisation.

6.4 Equality and Consultation Analysis (ECA)

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) climate change and the environment

None

6.6 Implications for partner organisations?

None

Report author(s): Carol Bradford

Name and job title: Corporate Governance Lawyer, Regulatory Team, Legal Services

Directorate: Place

Tel and email contact: 024 7697 7271 carol.bradford@coventry.gov.uk

Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Suzanne Bennett	Governance Services Officer	Place	23.08.19	27.08.19
Names of approvers for submission: (officers and members)				
Graham Clark	Finance	Place	16.08.19	19.08.19
Julie Newman	City Solicitor and Monitoring Officer	Place	14.08.19	16.08.19
Barry Hastie	Director of Finance and Corporate Services	Place	16.09.19	20.08.19
Cllr Walsh	Chair, Ethics Committee		23.08.19	28.08.19

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