



Ministry of Housing,
Communities &
Local Government

**Local Authority Governance and
Accountability Framework Review Panel Meeting**

Tuesday 3 December 2019

2 Marsham Street, MHCLG, London

Meeting Note

Attendees

Catherine Frances	Chair, Director General for Local Government and Public Services, MHCLG
Michael King	Local Government and Social Care Ombudsman
Graeme McDonald	Managing Director, SOLACE
Rob Whiteman	Chief Executive, CIPFA
Abdool Kara	Executive Leader, Local Services, NAO
Dennis Skinner	Head of Improvement, Local Government Association
Phillip Horsfield	President, Lawyers in Local Government
Duncan Whitfield	President, Association of Local Authorities Treasurers Society
Dr Jane Martin CBE	Member of the Committee on Standards in Public Life (CSPL)
Lesley Bainsfair	Head of the Secretariat, CSPL
Julia Yong	LA Improvement and Interventions Unit, Department for Education
Alex Skinner	Director, Local Government Finance, MHCLG
Clare Clark	Acting Deputy Director, Local Government Stewardship, MHCLG
Megan McKibbin	Senior Policy Adviser, Local Government Stewardship, MHCLG
Nick Searle	Senior Policy Adviser, Local Government Stewardship, MHCLG

Apologies

David Aldous	Audit Policy, NAO
Mark Lloyd	Chief Executive, Local Government Association
Jacqui McKinlay	Chief Executive, Centre for Public Scrutiny
Martin Swales	President, SOLACE (Chief Executive South Tyneside MBC)

1. Standards, Conduct and Probity – an introduction

The Chair welcomed the additional members to the Panel.

The Chair thanked the CSPL for its report and acknowledged that the Ministry has not yet published its response.

2. ‘Local Government Ethical Standards, A Review’ by the Committee on Standards in Public Life – Dr Jane Martin CBE, CSPL

Dr Jane Martin summarised the CSPL review’s headline findings and recommendations. The review examined the existing framework governing the behaviour of local government Members and executives in England and the report made a number of recommendations.

The report recommended strengthening the local government standards and conduct system with numerous legislative changes.

The report acknowledged that most Members and officers maintain high standards of conduct. The Panel agreed with this finding.

The review found that many councils felt that the sanctions available are too limited; the action taken by local authorities is inconsistent; the current rules on gifts and hospitality are unclear and too narrow; and that a small number of town and parish councils disproportionately represent a large number of standards complaints. The Panel noted these findings.

The Panel agreed that it is the role of principal authorities to take responsibility for the management and oversight of the standards and conduct framework in recognition of the comparatively limited resources of parish councils.

The report recommends introducing a model code of conduct that would support a consistent approach across local government. The Panel noted the LGA's forthcoming publication of a model code of conduct for Members.

The Panel commented that the report was well received, commending it as a thorough piece of work addressing the principal concerns of the sector.

3. Next steps in advising new Ministers following the General Election

The Panel was informed that the points made in discussion would enrich the advice on responding to the CSPL report, which would be put to Ministers following the General Election.

4. Focused discussion on three questions

The Panel agreed with the CSPL report that many local authority chief executives are frustrated at the perceived limited nature of sanctions available and the inconsistent action taken. In turn, it was set out that there might be a reluctance to raise a concern if people do not think appropriate action will be taken as a result.

The discussion concluded that it would be helpful to have set out clear expectations on the explicit roles and responsibilities of statutory officers, how they inter-relate and how the relationship between statutory officers and Members should work.

The Panel also felt that the increasing use of interim Chief Executives and the growing tendency to recruit to senior roles from outside the sector was resulting in a lack of consistent quality in both how statutory officer roles were interpreted and how Members and senior officers work together in setting an organisational tone and culture that will ensure high ethical standards.

Specific points from the discussion included the following:

- the relationship between the statutory officer positions of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer could be formalised;
- it should not be Monitoring Officers who determine the sanctions and that protections for Monitoring Officers could be improved;
- SOLACE are keen to explore the issue of protection of statutory officers;
- further work is done to explore how standards and audit committees could be strengthened;

- as well as a code of conduct for Members there could be a national code of conduct for local authority officers;
- Members should decide the sanctions rather than Monitoring Officers;
- local authorities, perhaps through the LGA, could collectively own the standards framework, but sanctions could be determined by an independent body;
- an acknowledgment that there must be suitable protections for Members from officers and members of the public.
- an agreement that social media is playing a greater role in misconduct cases; and
- there is only a minimal correlation between the increase of council administrations where is no overall control and the number of misconduct cases.

5. Any other business

The next meeting of the Panel will be held in Spring 2020.