



Committee and Date

Cabinet
12th February 2025

Item

Public



Proposed Response to Government Consultation - Strengthening the Standards and Conduct Framework for Local Authorities

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Cabinet Member (Portfolio Holder):	Cllr Lezley Picton, Leader		

1. Synopsis

Cabinet is asked to consider the proposed response to the Government Consultation -" Strengthening the Standards and Conduct Framework for Local Authorities prepared by an informal meeting of the Standards Committee.

2. Executive Summary

- 2.1. The conduct of elected and co-opted members of the Council is governed by the Localism Act 2011 which requires the promotion of high standards of conduct. In order to achieve this, the Council is obliged to adopt a code of conduct and have in place arrangements for dealing with allegations that members have breached the code.
- 2.2. Where such an allegation is investigated and a breach of the code established, the sanctions available to the Standards Committee are very limited and include requiring the member to make an apology or attend training. There is no power for a member to be suspended or disqualified if they breach the code. In 2019, the Committee for Standards in Public Life published a review of the member conduct regime in England and made a number of recommendations which included strengthening the sanctions available for a breach of the code.

- 2.3. In December 2024, the current government published a consultation on strengthening the regime governing member conduct in England. The full consultation document is attached as Appendix 1 and includes the reintroduction of a national mandatory code, the introduction of powers to suspend (for up to six months) and disqualify (for up to five years) members who have been found to have breached the code. There is also the introduction of a requirement to publish the outcome of complaints, and an appeals process which could involve a national body, possibly along the lines of the Standards Board for England which was abolished by the coalition government in 2010.
- 2.4. The consultation also asks whether complainants should have a right of appeal. One of the criticisms of the previous regime was the volume of vexatious complaints and the system being bogged down. There is a real risk, if complainants have an unfettered right to appeal decisions not to investigate complaints or decisions on complaints, that the appeal body will be inundated with appeals.
- 2.5. An informal meeting of the Standards Committee took place on Teams to discuss the consultation questionnaire and its recommendations, which were largely unanimous - attached as Appendix 2. There were a number of suggestions, such as the power to withhold allowances or to suspend members on an interim basis where the Standards Committee members thought it was better to have the option available, even though in reality it would be only in the most exceptional circumstances that it would be applied.
- 2.6. There was some debate about the most appropriate body to hear appeals, as there was concern that a national body could be too time consuming. One possibility would be a panel made up of members from a neighbouring Council.
- 2.7. It is important to note that whilst this is a proposed response on behalf of Shropshire Council, the government is encouraging individual Councillors and members of the public to respond to the consultation in their own capacity.

3. Recommendations

- 3.1. That Cabinet consider and approve, with amendments, if necessary, the proposed consultation response as set out in Appendix 2.

Report

4. Risk Assessment and Opportunities Appraisal

- 4.1 There is only a limited risk if the Council does not respond to this Consultation, but it will lose the opportunity to contribute to the debate.

5. Financial Implications

5.1. Shropshire Council is currently managing an unprecedented financial position as budgeted for within the Medium-Term Financial Strategy, approved by Council on 29 February 2024 and detailed in our monitoring position presented to Cabinet on a monthly basis. This demonstrates that significant management action is required over the remainder of the financial year, to ensure the Council's financial survival. While all Cabinet Reports provide the financial implications of decisions being taken, this may change as officers review the overall financial situation and make decisions aligned to financial survivability. Where non-essential spend is identified within the Council, this will be reduced. This may involve:

- scaling down initiatives,
- changing the scope,
- delaying implementation, or
- extending delivery timescales.

5.2. There are no financial implications to responding to this consultation but there may be consequences depending on what the government's response is to the consultation process. A new standards regime is likely to have more compulsory elements and stages, which will require additional officer time.

6. Climate Change Appraisal

6.1. There are no climate change implications arising from responding to this consultation.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Local Member: All

Appendices [Please list the titles of Appendices]

Appendix 1 - Strengthening the standards and conduct framework for local authorities in England

Appendix 2 – Proposed consultation responses