

## BABERGH AND MID SUFFOLK DISTRICT COUNCILS

<b>TO:</b> Joint Audit and Standards Committee	<b>REPORT NUMBER:</b> <b>JAC/19/6</b>
<b>FROM:</b> Monitoring Officer	<b>DATE OF MEETING:</b> 29 July 2019
<b>OFFICER:</b> Jan Robinson - Corporate Manager, Democratic Services	<b>KEY DECISION REF NO.</b> N/A

### REPORT FROM THE MONITORING OFFICER

#### 1. PURPOSE OF REPORT

- 1.1 The report provides the Committee with an update on Code of Conduct complaints received or determined since the last time that such complaints were reported to the Committee and also to provide an update on the recently issued report on Local Government Ethical Standards from the Committee on Standards in Public Life (CSPL)

#### 2. OPTIONS CONSIDERED

- 2.1 The Monitoring Officer is required by the constitution to regularly report complaints to the Joint Audit and Standards Committee. The update on the report from the Committee on Standards in Public Life is to inform the Committee on the 26 recommendations and 15 best practice recommendations for information. Many of the recommendations require legislative change and are directed at Government . A commentary has been provided (in italics) including the current position for Babergh and Mid Suffolk where relevant.

#### 3. RECOMMENDATION

- 3.1 That the Code of Conduct Complaints monitoring information contained in Paper JAC/19/6 be noted.
- 3.2 That JASC consider the recommendations from the CPSL report and decide if any further action is required.

#### 4. KEY INFORMATION

- 4.1 This report covers complaints received in the 9 months from 31 October 2018 – 18 July 2019. The complaints are listed in the table below:

Table 1: Summary of complaints

	<b>BDC</b>	<b>MSDC</b>	<b>TOTAL</b>
<b>Number of complaints received since last meeting</b>	21	12	33
<b>Number of complaints against District Councillors</b>	5	3	8
<b>Number of complaints against Parish Councillors</b>	16	9	25
<b>Number of complaints upheld &amp; action taken</b>	1	2	3
<b>Number of findings of no breach of the Code &amp; no action taken</b>	13	8	21
<b>Number of complaints where complainant is referred to the Police ( not within the powers of the Monitoring Officer)</b>	3	1	4
<b>Number of complaints under consideration/ pending decision</b>	4	1	5

- 4.2 The Monitoring Officer and Deputies continue to receive a high number of enquiries for pre-complaint advice and from Town and Parish councils requesting procedural and governance advice. Queries regarding informal advice are now being recorded to monitor the volume and nature of the enquiries and to ensure that all respondents are providing consistent advice.
- 4.3 The Committee on Standards in Public Life (CSPL) have recently issued their report on Local Government Ethical Standards. This follows an extensive review of the current arrangements, involving stakeholder meetings, roundtable seminars, local authority visits and requests for feedback.
- 4.4 The Executive Summary of the CSPL Report is included as Appendix A and the full report is available here:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/777315/6.4896\\_CO\\_CSPL\\_Command\\_Paper\\_on\\_Local\\_Government\\_Standards\\_v4\\_WEB.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF)
- 4.4 The CSPL have made 26 recommendations and 15 best practice recommendations, detailed in the report . Many of the recommendations require legislative change and are directed at Government. A commentary has been provided (in italics), including the current position for Babergh and Mid Suffolk District Council where relevant.

Number	Recommendation	Responsible body
1	<p>The Local Government Association should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.</p> <p><i>The Suffolk Code of Conduct is generally consistent with the previous model code of conduct provided by the Standards Board for England. A model code would need to follow legislative change.</i></p>	Local Government Association
2	<p>The government should ensure that candidates standing for or accepting public offices are not required publicly to disclose their home address. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to clarify that a councillor does not need to register their home address on an authority's register of interests.</p> <p><i>This has been recommended by the CSPL to reduce the possibility of intimidation of candidates and councillors. At present, to avoid having their details published, councillors need to demonstrate to the Monitoring Officer that they may be subject to violence or intimidation if their interests were disclosed.</i></p>	Government
3	<p>Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly-accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.</p> <p><i>At present, when a complaint is received, part of the initial assessment by the Monitoring Officer (and discussed with the Independent Person) is whether the councillor was acting in their official capacity when the alleged conduct occurred. Members of the public do not generally make the distinction.</i></p>	Government

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4	<p>Section 27(2) of the Localism Act 2011 should be amended to state that a local authority's code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority.</p> <p><i>At present, when a complaint is received, part of the initial assessment by the Monitoring Officer (and discussed with the Independent Person) is whether the councillor was acting in their official capacity when the alleged conduct occurred. Members of the public do not generally make the distinction.</i></p>	Government
5	<p>The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to include: unpaid directorships; trusteeships; management roles in a charity or a body of a public nature; and membership of any organisations that seek to influence opinion or public policy.</p> <p><i>At present, roles that are required to be recorded as Disclosable Pecuniary Interests are those that generate an income or benefit. Others are recorded as local non-pecuniary interests.</i></p>	Government
6	<p>Local authorities should be required to establish a register of gifts and hospitality, with councillors required to record any gifts and hospitality received over a value of £50, or totalling £100 over a year from a single source. This requirement should be included in an updated model code of conduct. <i>The Suffolk Code of Conduct currently requires declaration of gifts and hospitality above £25.</i></p>	Government

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7	<p>Section 31 of the Localism Act 2011 should be repealed, and replaced with a requirement that councils include in their code of conduct that a councillor must not participate in a discussion or vote in a matter to be considered at a meeting if they have any interest, whether registered or not, “if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision-making in relation to that matter”.</p>	Government
<p><i>This would be clearer for councillors when considering whether they have an interest that should be declared and whether they should leave the meeting. At present, councillors are advised that they should leave the meeting to avoid accusations of bias and to meet the principles of public life, but this is not supported by legislation.</i></p>		
8	<p>The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once.</p>	Government
<p><i>For the Barbergh and Mid Suffolk , the Independent Persons are appointed for two years with an option to extend for a further two years. One Independent Person was reappointed for a further term during the recent recruitment exercise. The other three were new appointments.</i></p>		
9	<p>The Local Government Transparency Code should be updated to provide that the view of the Independent Person in relation to a decision on which they are consulted should be formally recorded in any decision notice or minutes.</p>	Government
<p><i>At present the advice from the Independent Person is recorded by the Monitoring Officer. “Decision Notices” are not normally prepared or published but this can be introduced in the future.</i></p>		

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10	<p>A local authority should only be able to suspend a councillor where the authority's Independent Person agrees both with the finding of a breach and that suspending the councillor would be a proportionate sanction.</p> <p><i>For Babergh and Mid Suffolk, if a breach of the Code of Conduct is found to have occurred then the Suffolk Joint Standards Board would decide on any sanction. The Board would be aware of the views of the Independent Person before taking their decision. Clearly compliance with the legislation would be required, but this may change the status of the Independent Person. Currently the Independent Person's views must be sought and taken into account in any decision, rather than requiring their agreement.</i></p>	Government
11	<p>Local authorities should provide legal indemnity to Independent Persons if their views or advice are disclosed. The government should require this through secondary legislation if needed.</p> <p><i>This can be investigated further if required.</i></p>	Government / all local authorities
12	<p>Local authorities should be given the discretionary power to establish a decision-making standards committee with voting independent members and voting members from dependent parishes, to decide on allegations and impose sanctions.</p> <p><i>Should a meeting of the Suffolk Joint Standards Board be required to consider a case involving a councillor, currently this would be formed of councillors from the other Councils on the Board.</i></p>	Government
13	<p>Councillors should be given the right to appeal to the Local Government Ombudsman if their local authority imposes a period of suspension for breaching the code of conduct.</p> <p><i>There is currently no right of appeal due to the lack of sanctions. It is correct that if that situation changes then there should be a right of appeal.</i></p>	Government

14	<p>The Local Government Ombudsman should be given the power to investigate and decide upon an allegation of a code of conduct breach by a councillor, and the appropriate sanction, on appeal by a councillor who has had a suspension imposed. The Ombudsman's decision should be binding on the local authority.</p> <p><i>There would already have been an investigation before reaching the appeal stage. To have a further investigation would seem to be excessive. The appeal could be based on the evidence already provided.</i></p>	Government
15	<p>The Local Government Transparency Code should be updated to require councils to publish annually: the number of code of conduct complaints they receive; what the complaints broadly relate to (e.g. bullying; conflict of interest); the outcome of those complaints, including if they are rejected as trivial or vexatious; and any sanctions applied.</p> <p><i>The Monitoring Officer already ensures that this information is reported regularly to JASC.</i></p>	Government
16	<p>Local authorities should be given the power to suspend councillors, without allowances, for up to six months.</p> <p><i>If legislated this would provide a sanction that has been lacking in the current arrangements, and this would be welcomed by the public</i></p>	Government
17	<p>The government should clarify if councils may lawfully bar councillors from council premises or withdraw facilities as sanctions. These powers should be put beyond doubt in legislation if necessary.</p> <p><i>It has not been necessary to apply any such restrictions at Babergh and Mid Suffolk district Council.</i></p>	Government

18	<p>The criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished.</p> <p><i>This should not be interpreted as an indication that the importance of declaring interests is lessened as this is a key element of the governance framework.</i></p>	Government
19	<p>Parish council clerks should hold an appropriate qualification, such as those provided by the Society of Local Council Clerks.</p> <p><i>This would be welcomed, SALC already encourages new clerks to undertake this</i></p>	Parish councils
20	<p>Section 27(3) of the Localism Act 2011 should be amended to state that parish councils must adopt the code of conduct of their principal authority, with the necessary amendments, or the new model code.</p> <p><i>In Suffolk, the County Council, all district and borough councils, and the majority of parish and town councils have adopted the Suffolk Code.</i></p>	Government
21	<p>Section 28(11) of the Localism Act 2011 should be amended to state that any sanction imposed on a parish councillor following the finding of a breach is to be determined by the relevant principal authority.</p> <p><i>Currently the district council can only recommend a sanction</i></p>	Government
22	<p>The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 should be amended to provide that disciplinary protections for statutory officers extend to all disciplinary action, not just dismissal.</p> <p><i>This would correct an anomaly with the current legislation.</i></p>	Government

23	<p>The Local Government Transparency Code should be updated to provide that local authorities must ensure that their whistleblowing policy specifies a named contact for the external auditor alongside their contact details, which should be available on the authority's website.</p> <p><i>Our Whistleblowing Policy makes reference the Corporate Manager for Audit and Risk as the contact details.</i></p>	Government
24	<p>Councillors should be listed as 'prescribed persons' for the purposes of the Public Interest Disclosure Act 1998.</p> <p><i>'This is an Act to protect individuals who make certain disclosures of information in the public interest; to allow such individuals to bring action in respect of victimisation; and for connected purposes.'</i></p>	Government
25	<p>Councillors should be required to attend formal induction training by their political groups. National parties should add such a requirement to their model group rules.</p> <p><i>For the political parties and groups to consider and action.</i></p>	<p>Political groups</p> <p>National political parties</p>
26	<p>Local Government Association corporate peer reviews should also include consideration of a local authority's processes for maintaining ethical standards.</p> <p><i>For the LGA to consider and action.</i></p>	Local Government Association

**5. The best practice recommendations are directed to local authorities, and the CSPL expect that any local authority can and should implement them. The CSPL intend to review the implementation of our best practice in 2020.**

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

*The Suffolk Code has a reference to bullying. The Code can be reviewed by the principal authorities and this best practice adopted.*

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

*The Code can be reviewed by the principal authorities and this best practice adopted.*

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

*An annual review can be programmed. The benefits of having on Suffolk Code should not be underestimated and it would be disappointing if annual reviews led to variations across the county.*

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

*Agreed, the Code is readily available on the Council's website.*

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

*Gifts and hospitality declarations by councilors are published as soon as they are received.*

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

*Guidance Notes for complainants are available on the website, and these provide details of how complaints are considered*

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

*Four Independent Persons have been appointed and are used in rotation.*

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

*The Monitoring Officer currently consults with an Independent Person before progressing any complaint.*

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

*Currently this information is not published. It has been felt that unless an allegation is proven that the councillor has a right of anonymity.*

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

*Guidance Notes for complainants are available on the website, and these provide details of how complaints are considered*

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.

*This would help with the assessment of a complaint..*

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

*This is already happening, SALC also provides advice to parish councils*

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

*Having two Deputy Monitoring Officers reduces the risk of a conflict of interest. Independent investigators are used where necessary, including monitoring officers from a different authority Babergh and Mid Suffolk have recently undertaken a hearing for another Council where there was a conflict of interest.*

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

*The Business Plan for CIFCO is taken to Council for approval The Audit and Standards Committee review the financial arrangements for the companies regularly.*

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

*The committees view on this will be sought at the meeting*

#### **Sources of further information**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/777315/6.4896\\_CO\\_CSPL\\_Command\\_Paper\\_on\\_Local\\_Government\\_Standards\\_v4\\_WEB.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF)

## 6. LINKS TO JOINT STRATEGIC PLAN

6.1 Good governance underpins the delivery of all priorities within the Joint Strategic Plan. The Suffolk Local Code of Conduct is an integral part of that governance framework.

## 7. FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications arising from this report.

## 8. LEGAL IMPLICATIONS

8.1 Under the Localism Act 2011, the Monitoring Officer is required to establish a local code of conduct for councillors and to investigate complaints made relating to breaches of that code.

## 9. RISK MANAGEMENT

8.1 Key Risks are set out below:

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
Complaints are not handled promptly	2 - Unlikely	1 - Minimal	Monitoring of complaints
Decisions are not sound	2 - Unlikely	3 - Bad	Apply adopted procedures

## 10. CONSULTATIONS

10.1 Where appropriate the Monitoring Officer is required to consult the Independent Person when considering Code of Conduct complaints.

## 11. EQUALITY ANALYSIS

11.1 Equality Impact Assessment (EIA) not required.

## 12. ENVIRONMENTAL IMPLICATIONS

12.1 There are no environmental implications associated with this report.

## 13. APPENDICES

<b>Title</b>	<b>Location</b>
(a) Executive Summary of the CSPL Report	Attached

## 14. BACKGROUND DOCUMENTS

14.1 None.

## Executive summary - Committee On Standards In Public Life Local Government Ethical

### Standards

Local government impacts the lives of citizens every day. Local authorities are responsible for a wide range of important services: social care, education, housing, planning and waste collection, as well as services such as licensing, registering births, marriages and deaths, and pest control. Their proximity to local people means that their decisions can directly affect citizens' quality of life.

High standards of conduct in local government are therefore needed to protect the integrity of decision-making, maintain public confidence, and safeguard local democracy.

Our evidence supports the view that the vast majority of councillors and officers maintain high standards of conduct. There is, however, clear evidence of misconduct by some councillors. The majority of these cases relate to bullying or harassment, or other disruptive behaviour. There is also evidence of persistent or repeated misconduct by a minority of councillors.

We are also concerned about a risk to standards under the current arrangements, as a result of the current rules around declaring interests, gifts and hospitality, and the increased complexity of local government decision-making.

Giving local authorities responsibility for ethical standards has a number of benefits. It allows for flexibility and the discretion to resolve standards issues informally. We have considered whether there is a need for a centralised body to govern and adjudicate on standards. We have concluded that whilst the consistency and independence of the system could be enhanced, there is no reason to reintroduce a centralised body, and that local

authorities should retain ultimate responsibility for implementing and applying the Seven Principles of Public Life in local government.

We have made a number of recommendations and identified best practice to improve ethical standards in local government. Our recommendations are made to government and to specific groups of public office-holders. We recommend a number of changes to primary legislation, which would be subject to Parliamentary timetabling; but also to secondary legislation and the Local Government Transparency Code, which we expect could be implemented more swiftly. Our best practice recommendations for local authorities should be considered a benchmark of good ethical practice, which we expect that all local authorities can and should implement. We will review the implementation of our best practice in 2020.

### Codes of conduct

Local authorities are currently required to have in place a code of conduct of their choosing which outlines the behaviour required of councillors. There is considerable variation in the length, quality and clarity of codes of conduct. This creates confusion among members of the public, and among councillors who represent more than one tier of local government. Many codes of conduct fail to address adequately important areas of behaviour such as social media use and bullying and harassment. An updated model code of conduct should therefore be available to local authorities in order to enhance the consistency and quality of local authority codes.

There are, however, benefits to local authorities being able to amend and have ownership of their own codes of conduct. The updated model code should therefore be voluntary and able to be adapted by local authorities. The scope of the code of conduct should also be widened, with a rebuttable presumption that a councillor's public behaviour, including comments made on publicly accessible social media, is in their official capacity.

### **Declaring and managing interests**

The current arrangements for declaring and managing interests are unclear, too narrow and do not meet the expectations of councillors or the public. The current requirements for registering interests should be updated to include categories of non-pecuniary interests. The current rules on declaring and managing interests should be repealed and replaced with an objective test, in line with the devolved standards bodies in Scotland, Wales and Northern Ireland.

### **Investigations and safeguards**

Monitoring Officers have responsibility for filtering complaints and undertaking investigations into alleged breaches of the code of conduct. A local authority should maintain a standards committee. This committee may advise on standards issues, decide on alleged breaches and sanctions, or a combination of these. Independent members of decision-making standards committees should be able to vote.

Any standards process needs to have safeguards in place to ensure that decisions are made fairly and impartially, and that councillors are protected against politically- motivated, malicious, or unfounded allegations of misconduct. The Independent Person is an important safeguard in the current system. This safeguard should be strengthened and clarified: a local authority should only be able to suspend a councillor where the Independent

Person agrees both that there has been a breach and that suspension is a proportionate sanction. Independent Persons should have fixed terms and legal protections. The view of the Independent Person in relation to a decision on which they are consulted should be published in any formal decision notice.

### **Sanctions**

The current sanctions available to local authorities are insufficient. Party discipline, whilst it has an important role to play in maintaining high standards, lacks the necessary independence and transparency to play the central role in a standards system. The current lack of robust sanctions damages public confidence in the standards system and leaves local authorities with no means of enforcing lower level sanctions, nor of addressing serious or repeated misconduct.

Local authorities should therefore be given the power to suspend councillors without allowances for up to six months. Councillors, including parish councillors, who are suspended should be given the right to appeal to the Local Government Ombudsman, who should be given the power to investigate allegations of code breaches on appeal. The decision of the Ombudsman should be binding.

The current criminal offences relating to Disclosable Pecuniary Interests are disproportionate in principle and ineffective in practice, and should be abolished.

## **Town and parish councils**

Principal authorities have responsibility for undertaking formal investigations of code breaches by parish councillors. This should remain the case. This responsibility, however, can be a disproportionate burden for principal authorities. Parish councils should be required to adopt the code of their principal authority (or the new model code), and a principal authority's decision on sanctions for a parish councillor should be binding. Monitoring Officers should be provided with adequate training, corporate support and resources to undertake their role in providing support on standards issues to parish councils, including in undertaking investigations and recommending sanctions. Clerks should also hold an appropriate qualification to support them to uphold governance within their parish council.

## **Supporting officers**

The Monitoring Officer is the lynchpin of the current standards arrangements. The role is challenging and broad, with a number of practical tensions and the potential for conflicts of interest. Local authorities should put in place arrangements to manage any potential conflicts. We have concluded, however, that the role is not unique in its tensions and can be made coherent and manageable with the support of other statutory officers. Employment protections for statutory officers should be extended, and statutory officers should be supported through training on local authority governance.

## **Councils' corporate arrangements**

At a time of rapid change in local government, decision-making in local councils is getting more complex, with increased commercial activity and partnership working. This complexity risks putting governance under strain. Local authorities setting up separate bodies risk a governance 'illusion', and should

take steps to prevent and manage potential conflicts of interest, particularly if councillors sit on these bodies. They should also ensure that these bodies are transparent and accountable to the council and to the public.

Our analysis of a number of high-profile cases of corporate failure in local government shows that standards risks, where they are not addressed, can become risks of corporate failure. This underlines the importance of establishing and maintaining an ethical culture.

## **Leadership and culture**

An ethical culture requires leadership. Given the multi-faceted nature of local government, leadership is needed from a range of individuals and groups: an authority's standards committee, the Chief Executive, political group leaders, and the chair of the council.

Political groups have an important role to play in maintaining an ethical culture. They should be seen as a semi-formal institution sitting between direct advice from officers and formal processes by the council, rather than a parallel system to the local authority's standards processes. Political groups should set clear expectations of behaviour by their members, and senior officers should maintain effective relationships with political groups, working with them informally to resolve standards issues where appropriate.

The aim of a standards system is ultimately to maintain an ethical culture and ethical practice. An ethical culture starts with tone. Whilst there will always be robust disagreement in a political arena, the tone of engagement should be civil and constructive. Expected standards of behaviour should be embedded through effective induction and ongoing training. Political groups should require their members to attend code of conduct training provided by a local authority, and this should also be

written into national party model group rules. Maintaining an ethical culture day-to-day relies on an impartial, objective Monitoring Officer who has the confidence of all councillors and who is professionally supported by the Chief Executive.

An ethical culture will be an open culture. Local authorities should welcome and foster opportunities for scrutiny, and see it as a way to improve decision making. They should not rely unduly on commercial confidentiality provisions, or circumvent open decision-making processes. Whilst local press can play an important role in scrutinising local government, openness must be facilitated by authorities' own processes and practices.