

Agenda item 6

AGS/85/20	
Report title: Standards: Best Practice Recommendations	
Report to: Audit, Governance and Standards Committee	
Report author: Paul Turner, Director, Legal and Assurance	
Date: 16 November 2020	For: Approval
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County Divisions affected: All Essex	

1. Purpose of Report

- 1.1 This report asks the Committee to consider the draft progress report to the Committee on Standards in Public Life.

2. Recommendation

- 2.1 Agree the draft response as at appendix 1.

3. Background

- 3.1 In January 2019 the Committee on Standards in Public Life published a report on standards in local government. The report made a number of recommendations.
- 3.2 Most of the recommendations were addressed to central government. One key recommendation – the development of a national model code – was addressed to the Local Government Association. Some recommendations were addressed to local authorities.
- 3.3 On 30 September 2020 the Committee on Standards in Public Life wrote to the Council to ask a ‘progress report’ on the adoption of its recommendations. The Council’s draft progress report is at appendix 1.
- 3.4 The recommendations fall into a number of categories:
- Recommendations which do not apply to ECC – for example recommendations relating to parish councils. Parish council standards issues are the responsibility of the district council.
 - Recommendations which ECC already had in place
 - Recommendations which ECC has implemented since the recommendation was made (for example asking an independent person to review every complaint).

- Recommendations which will be addressed as part of the adoption of a model code when recommended by the Local Government Association.
- Recommendations which ECC is in the process of implementing but which requires time – such as that relating to the reporting of companies in the annual governance statement – which requires liaison with the companies.
- Recommendations which ECC cannot really implement. For example, one recommendation is that we should publish of the expected length of an investigation. Since ECC typically has around one investigation annually, it is difficult to give any meaningful indication about this.

3.5 Members are asked to consider the draft response, ask questions and decide whether or not they are content with it.

3.6 It should be noted that the Committee on Standards in Public Life have said that they will publish the response of every local authority on their website.

3.7 It should also be noted that central government have not yet responded to the recommendations addressed to them which, are in many ways, far more significant than those recommendations which the committee addressed to local authorities.

4. Financial Implications

4.1 This report has no financial implications.

5. Legal Implications

5.1 The Committee on Standards in Public Life has no statutory powers and is not required to implement these recommendations. Its recommendations should be taken seriously.

6. Equality and Diversity Implications

6.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when ECC makes decisions it must have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual

orientation. Equality and diversity matters have been considered in the production of the progress report.

7. List of Appendices

Appendix: Draft response to the Committee on Standards in Public Life

8. List of Background Papers

None.