

<b>LONDON BOROUGH OF CAMDEN</b>	<b>WARDS:</b> All
<b>REPORT TITLE</b> Government Consultation on the Standards and Conduct Framework	
<b>REPORT OF</b> Borough Solicitor	
<b>FOR SUBMISSION TO</b> Standards Committee	<b>DATE</b> 7 July 2025
<p><b>SUMMARY OF REPORT</b></p> <p>This report provides information on the Government consultation to strengthen the standards and conduct framework for local authorities in England.</p> <p><b>Local Government Act 1972 – Access to Information</b></p> <p>No documents that require listing have been used in the preparation of this report.</p> <p><b>Contact Officer:</b> Cheryl Hardman Principal Democratic Services Officer Camden Town Hall Judd Street London WC1H 9JE 020 7974 1619 <a href="mailto:cheryl.hardman@camden.gov.uk">cheryl.hardman@camden.gov.uk</a></p>	
<p><b>RECOMMENDATIONS</b></p> <p>That Standards Committee notes and comments on the contents of the report.</p>	

Signed: 

Borough Solicitor

Date: 25 June 2025

## 1. Purpose of Report

- 1.1. This report provides information on the Government consultation to strengthen the standards and conduct framework for local authorities in England.

## 2. Consultation

- 1.2. Angela Rayner MP, Secretary of State for Housing, Communities and Local Government, announced at the Local Government Association conference in October 2024 that reforms would be consulted on to strengthen the local government standards framework<sup>1</sup>. She stated that "We don't have a system that protects victims or empowers councils to deal with unacceptable behaviour. ...And this cannot go on and we will give councils the powers to address poor conduct". On 18 December 2024, the consultation was published with a deadline of 26 February 2025 for responses<sup>2</sup>.
- 1.3. The consultation stressed that the vast majority of elected Members have high standards of conduct and are driven to work in the public interest. The electorate has a right to expect that it can trust in the highest ethical standards by local councillors but there are a small number of examples of misconduct resulting in a destabilising effect for local authorities. The proposed reforms consulted on were intended to give local authorities the means to deal with misconduct more effectively.
- 1.4. The consultation outlined proposals to:
  - Legislate for a mandatory minimum code of conduct;
  - Require local authorities to maintain a Standards Committee, potentially chaired by an Independent Person, with Independent Persons given voting rights to ensure objectivity;
  - Require publication of a summary of code of conduct breach allegations and investigation outcomes;
  - Require the completion of investigations where a Member stands down;
  - Introduce stronger sanctions for serious breaches of the code of conduct including the power to suspend elected members, withhold allowances and ban suspended councillors from premises and facilities, and disqualification where suspensions is invoked more than once within a five-year period; and
  - Introduce a right of appeal, including to a national appeals body.

It also sought feedback on how to empower victims of, or witnesses to, councillor misconduct.

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<sup>1</sup> <https://localgovernmentlawyer.co.uk/governance/396-governance-news/58913-rayner-announces-consultations-on-remote-meetings-and-tougher-standards-regime> [accessed: 21 February 2025]

<sup>2</sup> <https://www.gov.uk/government/consultations/strengthening-the-standards-and-conduct-framework-for-local-authorities-in-england/strengthening-the-standards-and-conduct-framework-for-local-authorities-in-england> [accessed: 21 February 2025]

### 3. Responses to the consultation

- 1.5. The consultation was open to individual members of the public, prospective and current elected Members, all relevant local authorities and bodies representing the interests of Members. On behalf of the Borough Solicitor, members of Standards Committee and the leaders of each group were signposted to the Consultation and encouraged to respond to ensure that a full set of views were received by the Government.
- 1.6. The Borough Solicitor responded personally to the consultation, supporting the introduction of stronger sanctions for misconduct. The response supported the creation of a national appeals body to uphold impartiality where a Member has been suspended. The role of the Independent Person within the complaint process was confirmed as critical for impartiality.
- 1.7. The Committee on Standards in Public Life (CSPL) supported proposals for a mandatory minimum prescribed code of conduct and mandatory standards committees, stating that Independent Persons should be given voting rights<sup>3</sup>. Powers of suspension and disqualification for extreme cases was recommended although this was a complex area and clear guidance would be needed. A nuanced approach to disqualification rather than a 'two strikes and you are out' was advocated. A new national body could provide expertise and consistency.
- 1.8. Lawyers in Local Government (LLG) had a similar response to CSPL but urged a review of the LGA model code of conduct, adopted by many local authorities, which was considered complex and wide in scope<sup>4</sup>. While National Association of Local Councils (NALC) agreed with the CSPL on voting rights for Independent Persons, LLG members were split in their views on this.
- 1.9. The Local Government Association supported suspensions for up to six months but warned that suspension must not become a default sanction for breach of the Code of Conduct<sup>5</sup>.

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[https://assets.publishing.service.gov.uk/media/67d4055e4bcf261f8233f7bb/Chair\\_CSPL\\_to\\_Jim\\_McMahon\\_Minister\\_for\\_Local\\_Government\\_re\\_sub\\_to\\_consultation\\_on\\_standards\\_-\\_Final\\_1\\_.pdf](https://assets.publishing.service.gov.uk/media/67d4055e4bcf261f8233f7bb/Chair_CSPL_to_Jim_McMahon_Minister_for_Local_Government_re_sub_to_consultation_on_standards_-_Final_1_.pdf) [accessed: 21 May 2025]

<sup>4</sup> <https://localgovernmentlawyer.co.uk/governance/396-governance-news/60122-suspension-an-essential-tool-for-holding-members-to-account-llg> [accessed: 21 May 2025]

<sup>5</sup> <https://localgovernmentlawyer.co.uk/governance/396-governance-news/60141-local-government-association-backs-power-to-suspend-councillors-but-warns-it-must-not-be-default-punishment> [accessed: 21 May 2025]

#### **4. Next Steps**

- 1.10. The Ministry of Housing, Communities and Local Government has committed to a full Public Sector Equality Duty assessment, and other necessary impact assessments, during policy development following consultation<sup>6</sup>.
- 1.11. At a Westminster Hall debate on 11 March 2025<sup>7</sup>, Jim McMahon, Minister of State for Local Government and English Devolution, stated that there had been over 2000 submissions to the consultation on local government standards which were being analysed<sup>8</sup>. He stressed that a mandatory code of conduct was foundational to planned reforms. It was also noted that the current standards regime “has not got teeth” and “sanctions that matter, including ... suspension ... [and] disqualification in some cases for more serious breaches”, should be in place.

#### **5. Finance Comments of the Executive Director Corporate Services**

- 1.12. There are no financial impacts resulting from this report.

#### **6. Legal Comments of the Borough Solicitor**

- 1.13. This is a report of the Borough Solicitor and there are no other legal comments.

#### **7. Environmental Implications**

- 1.14. There are no environmental implications.

**REPORT ENDS**

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<sup>6</sup> <https://www.gov.uk/government/consultations/strengthening-the-standards-and-conduct-framework-for-local-authorities-in-england/strengthening-the-standards-and-conduct-framework-for-local-authorities-in-england> [accessed: 21 May 2025]

<sup>7</sup> <https://hansard.parliament.uk/Commons/2025-03-11/debates/9BC6D2AE-0D88-405A-9B58-A5E462E8E9FB/LocalGovernmentNolanPrinciples> [accessed: 21 May 2025]

<sup>8</sup> <https://localgovernmentlawyer.co.uk/governance/396-governance-news/60244-mandatory-code-of-conduct-central-to-reforms-to-local-government-standards-regime-minister-says> [accessed: 21 May 2025]