

CSPL – Best Practice Recommendations Action Plan

Best Practice Recommendation	Comment	Action Required	Update/progress
<p><u>Best Practice 1</u></p> <p>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.</p>	<p>Code of Conduct already includes prohibition on bullying; but not harassment.</p> <p>Code does not include list of examples.</p>	<p>Code of Conduct to be amended to include prohibition on harassment and definition of bullying and harassment and examples.</p>	<p>Amended Code of Conduct to be considered by Standards Committee on 4 July 2019 for agreement and referral to Council for approval on 17 July 2019.</p>
<p><u>Best Practice 2</u></p> <p>Councils should include provisions in their code requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.</p>	<p>Code of Conduct does not include this provision.</p>	<p>Code of Conduct to be amended to include provisions.</p>	<p>Amended Code of Conduct to be considered by Standards Committee on 4 July 2019 for agreement and referral to Council for approval on 17 July 2019.</p>
<p><u>Best Practice 3</u></p> <p>Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the</p>	<p>The Code of Conduct was last reviewed in 2016.</p>	<p>Process to be put in place to review Code of Conduct annually.</p>	

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public, community organisations and neighbouring authorities.	We have not previously sought the views of the public etc.		
<p><u>Best Practice 4</u></p> <p>An Authority's code should be readily accessible to both councillors and the public, in a prominent position on the council's website and available in council premises.</p>	<p>The Code of Conduct is published on the website as part of the Constitution and as a separate document on the Councillors page.</p> <p>A copy of the Code is also provided to all councillors on election as part of the induction pack.</p> <p>A hard copy would be provided on request at the Council Offices.</p> <p>Parish Council Codes of Conduct are not always readily accessible on the Parish Council website.</p>	Monitoring Officer to write to Parish Councils advising them to ensure Code of Conduct is published.	
<p><u>Best Practice 5</u></p> <p>Local authorities should update their gifts and hospitality register at least once per quarter, and</p>	The register is updated as the Monitoring Officer is notified by councillors that they have been offered gifts	Process to be put in place to remind councillors to register gifts and hospitality received each	

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publish it in an accessible format, such as CSV.	<p>or hospitality and an annual report is prepared for Standards Committee.</p> <p>The register is not currently published on the website.</p>	quarter and publish it on the website in accessible format.	
<p><u>Best Practice 6</u></p> <p>Councils should publish a clear and straightforward public interest test against which allegations are filtered.</p>	The approved Arrangements for dealing with complaints includes tests to be applied when filtering complaints, however can be improved to include the provisions set out in the CSPL report.	Arrangements for dealing with complaints to be amended to incorporate the 'public interest' test referred to in the report.	Amended Arrangements for dealing with Complaints to be considered by Standards Committee on 4 July 2019 for approval.
<p><u>Best Practice 7</u></p> <p>Local authorities should have access to at least two Independent Persons.</p>	The Council has already agreed that we should have an Independent Person and reserve Independent Person. Whilst recruitment has been difficult, both posts are currently occupied.	<p>Arrangements for dealing with complaints to be amended to recognise we have an Independent Person and reserve.</p> <p>Recognising the difficulties in recruiting Independent Persons, the Monitoring Officer to</p>	<p>Amended Arrangements for dealing with Complaints to be considered by Standards Committee on 4 July 2019 for approval.</p> <p>Discussed at Monitoring Officers meeting on 6 June 2019 and in</p>

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		collaborate with Nottinghamshire Monitoring Officers and introduce arrangements to pool/share Independent Persons.	principle agreement obtained to work together.
<p><u>Best Practice 8</u></p> <p>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.</p>	<p>The approved Arrangements for dealing with complaints includes a requirement for the Monitoring Officer to consult the Independent Person when making an initial assessment of the complaint.</p>	None	
<p><u>Best Practice 9</u></p> <p>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,</p>	<p>The approved Arrangements for dealing with complaints already requires the Monitoring Officer to prepare a formal decision notice following a hearing and make that decision notice available for public inspection.</p>	<p>Arrangements for dealing with complaints to be amended to include provision to publish all decision notices following formal investigation.</p>	<p>Amended Arrangements for dealing with Complaints to be considered by Standards Committee on 4 July 2019 for approval.</p>

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the reasoning of the decision-maker and any sanction applied.	Where the Monitoring Officer resolves a complaint by way of local resolution following an investigation, there is no such requirement; the decision is however reported to Standards Committee.		
<p><u>Best Practice 10</u></p> <p>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.</p>	The council already has accessible guidance on its website on how to make a complaint (including an online form) and arrangements for dealing with complaints.	Webpage to be amended to include estimated timescales for investigation and outcomes.	
<p><u>Best Practice 11</u></p> <p>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.</p>	The borough council does not have the power to require parish councillors to submit complaints on behalf of the Clerk, but it can put in place processes to support this and can set out expectations to parish councils.	<p>Arrangements for dealing with complaints to be amended to make it clear complaints about the conduct of a parish councillor towards a Clerk can and should be made by the Chair or parish council as a whole.</p> <p>Monitoring Officer to write to parish councils to notify them and request</p>	Amended Arrangements for dealing with Complaints to be considered by Standards Committee on 4 July 2019 for approval.

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		they put processes in place to enable this to happen.	
<p><u>Best Practice 12</u></p> <p>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.</p>	<p>Complaints made about parish councillors have been investigated in accordance with the approved arrangements for dealing with complaints. None have been rejected due to lack of resources. The Monitoring Officer has a budget for training and development and regularly attends training on relevant matters, including ethical conduct. A deputy Monitoring Officer is also in place to provide additional support and capacity.</p> <p>The Appointments and Conditions of Service Committee have a specific delegation to 'ensure the provision of sufficient staff and other resources' to the Monitoring Officer and</p>	<p>Keep a watching brief on resources particularly in light of budget reductions and efficiencies which may impact on the resources available to the Monitoring Officer.</p>	

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	<p>deputy. Additional resource can be requested if necessary.</p> <p>Due to pressures, there is insufficient resource within Legal Services to conduct Standards investigations; however Legal Services has an approved annual budget for the obtaining external legal services which is available should an external investigator need to be appointed.</p>		
<p><u>Best Practice 13</u></p> <p>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.</p>	<p>Deputy Monitoring Officer in place to deal with complaints where the Monitoring Officer has a conflict of interest. Investigations can and have been outsourced to an external investigator.</p> <p>Monitoring Officers from other authorities are unlikely to have sufficient resources to carry out investigations for others.</p>	<p>Approved arrangements for dealing with complaints to be amended to set out the options available in the case of a conflict of interest.</p>	<p>Amended Arrangements for dealing with Complaints to be considered by Standards Committee on 4 July 2019 for approval.</p>

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<p><u>Best Practice 14</u></p> <p>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.</p>	<p>The Council has not set up separate bodies.</p>	<p>Monitoring Officer to request the Council's Chief Financial Officer to include relevant provisions in the annual Governance Statement in the event separate bodies are set up.</p> <p>To require any separate bodies set up in the future to abide by the Nolan principles and publish agendas and minutes.</p>	
<p><u>Best Practice 15</u></p> <p>Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.</p>	<p>Currently no regular scheduled meetings with group leaders or business managers.</p>	<p>Bi-annual meetings (as a minimum) between Chief Executive, Monitoring Officer and group leaders and deputies to be arranged.</p>	

Additional recommendation from Standards Committee

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<p>Explore support which can be put in place for Members who are suffering bullying and intimidation.</p>	<p>The Committee on Standards in Public Life referred to the previous report and recommendations it made in 2017 relating to intimidation on social media.</p>	<p>Monitoring Officer to write to all Borough Councillors and Parish Councils to request evidence of specific examples of bullying, intimidation and threats against elected members.</p> <p>Subject to the responses received, establish a working group including parish councillors to consider the extent and nature of the bullying, intimidation and threats and agree appropriate measures to support the victim.</p>