

<b>21 March 2024</b>		<b>ITEM: 7</b>
<b>Standards and Audit Committee</b>		
<b>Committee on Standards in Public Life Update</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not applicable	
<b>Report of:</b> Daniel Fenwick, Director Legal and Governance & Monitoring Officer		
<b>Accountable Assistant Director:</b> Not applicable		
<b>Accountable Director:</b> Daniel Fenwick, Director Legal and Governance & Monitoring Officer		
<b>This report is</b> Public		
<b>Version:</b> Final		

## Executive Summary

This report provides an update of the work which has been undertaken by the independent Committee on Standards in Public Life, in particular the Committee's report "Leading in Practice" published on 24 January 2023, which features case studies gathered from organisations in the public, private and charitable sectors on maintaining ethical organisational practices.

This report also provides an update work undertaken nationally to prevent abuse and intimidation of those working in public in life.

## Commissioner Comment:

None

### 1. Recommendation(s)

- 1.1 **Note the content of report of the Committee on Public Life's report Leading in Practice (Appendix 1), and consider any matters which may be relevant to the Council that require action.**
- 1.2 **Note the research that has been undertaken by the Local Government Association on abuse and intimidation of councillors and consider any matters that may require further to action.**

### 2. Introduction and Background

- 2.1 The independent Committee on Standards in Public Life (the CSPL) is an advisory non-departmental public body sponsored by the Cabinet Office monitors and makes

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recommendations on all issues relating to standards in public life. It can examine standards of conduct of all holders of public office and all those involved in the delivery of public services and make any recommendations as to any changes in the present arrangements which might be required to ensure the highest standards of propriety in public life issues relating to ethical standards.

- 2.2 On 24 January 2023 the CSPL published its report *Leading in Practice*, the CSPL's review into how a variety of organisations have sought to integrate ethical values into their policies and ways of working. The review is part of a package of the work which begun in the CSPL's 2021 review, *Upholding Standards in Public Life* which addressed the need for stronger rules and more independent regulation to prevent misconduct.
- 2.3 On the date of publication of the CSPL report, Lord Evans, the former Chair of the CSPL wrote an open letter to public sector leaders to prompt reflection and discussion on the importance of ethical leadership in the UK.
- 2.4 The *Leading in Practice Report (The CSPL report) Appendix 1*, explores practical steps leaders can take to ensure that ethical rules are underpinned by a shared understanding of ethical rules. The purpose of the CSPL report is to encourage leaders in the public sector to reflect on their own ethical leadership and consider whether they can do more to ensure that the Principles of Public Life are understood and embedded into all aspects of how their organisations operate. To help with this process, the CSPL report includes a set of questions for leaders to reflect on, these are set out in paragraph of 2.6 of this report.
- 2.5 The CSPL Report covers the following areas:
- Chapter 1: Values and the public sector
  - Chapter 2: Communicating expected behaviours and leading by example
  - Chapter 3: Encouraging a 'speak up' culture
  - Chapter 4: Training, discussion and decision-making
  - Chapter 5: Governance
  - Chapter 6: Recruitment and performance management
- 2.6 The CSPL report, sets out twenty questions for leaders to ask themselves under chapters 2 to 6 of the CPSL report to think about what more they can do to embed a values ethos in their own organisations.

### ***Communicating values and leading by example***

1. How do the people in your organisation know that you care about the Principles of Public Life?
2. What do you do to help people understand how the Principles of Public Life translate to the standards of behaviour expected in their day-to-day work?
3. How do you address behaviour that is not consistent with the Principles of Public Life?

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4. How do you know that people across your organisation are hearing a consistent tone from their managers in relation to the standards of behaviour expected of them?

### ***Encouraging a 'speak up' culture***

5. Are there clear and well-understood ways that people across your organisation can raise their concerns when things 'just don't feel right'? How do you know these routes are trusted?

6. What do you do to ensure that retaliation is not tolerated in your organisation?

7. How do you ensure you are listening to the concerns and suggestions of people in your organisation? Are you being open and transparent in communicating the outcome to people in your organisation, while respecting confidentiality?

8. How do you know the managers in your organisation are listening and responding well to concerns that are raised directly with them?

### ***Training, discussion and decision-making***

9. Is your staff training specific to the ethical risks and challenges faced by your organisation?

10. How do you encourage leaders at all levels to discuss the practical application of the Principles of Public Life in their teams?

11. Have you considered whether the people in your organisation might benefit from dedicated support for considering ethical issues, such as ethics committees or counsellors?

12. How do you know that people in your organisation are making consistently good decisions that take into account the Principles of Public Life?

### ***Governance***

13. Is your board clear on their role in relation to the ethical culture of the organisation?

14. Does your risk assessment process identify and monitor the key ethical risks for your organisation?

15. Does your board have access to the range of data needed to assess and monitor the ethical health of your organisation and to identify potential areas of concern?

16. How do you ensure that your organisation takes necessary action where the data suggests that changes are needed?

17. When things have gone wrong in your organisation, could the signs have been spotted and addressed earlier?

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## ***Recruitment and performance management***

18. Does your recruitment and selection process place sufficient weight on the extent to which candidates' personal values align with the Principles of Public Life?

19. How does your organisation's selection process test the ability of candidates to exercise sound judgement when faced with ethical dilemmas?

20. Do the performance management processes of your organisation give sufficient weight to how individuals deliver on their objectives, as well as the outcomes that are achieved?

## **Ending Abuse in Public Life for Councillors**

- 2.7 On a national and local level there is evidence of increasing levels of abuse against councillors and council employees which is having an impact on democratic processes. In 2017, the CSPL published a report on Intimidation in Public Life which the Committee suggested that "the scale and intensity of intimidation is now shaping public life". Following the 2017 CPSL report, the Local Government Association (LGA) established a programme and a project which undertook research into abuse and intimidation. A survey undertaken by the LGA found that 88% of councillors who responded to its survey experienced abuse, with 98% of those claiming to face abuse on multiple occasions. 27% of councillors said they would not stand in the next election. Two-thirds (68%) of the councillors said that abuse and intimidation had influenced their position on whether to stand again. Councillors who responded to its survey experienced abuse, with 98% of those claiming to face abuse on multiple occasions. 27% of councillors said they would not stand in the next election. Two-thirds (68%) of the councillors said that abuse and intimidation had influenced their position on whether to stand again. The Chair of the LGA's Civility in Public Life Programme Steering Group has stated that unaddressed, abuse and intimidation risk forcing good councillors out of local politics altogether. The LGA are urging the government to introduce legislation that would allow a council to proactively withhold councillors' home addresses from the public
- 2.8 On 3 July 2023 the LGA issued a report Debate not Hate: Ending Abuse in Public Life for Councillors which provide guidance to councils as to how better support councillors to prevent and handle abuse and intimidation. The LGA's report makes a number of recommendations to protect councillors from abuse and intimidation, and also sets out guiding principles which may help councils to consider the level of support their members require and how best to provide this support

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2.9 The LGA's proposed guiding principles are:

- 1. Zero-tolerance approach to abuse:** establish and enforce a strict policy that sets clear expectations for interactions and promoting respectful debate.
- 2. Clarity of process and responsibility:** Clearly define the process for raising concerns and assign responsible persons who are well equipped and located in the council to provide councillors with support.
- 3. Relationships with local police:** Proactively foster strong relationships with police to improve coordination and advance mutual understanding of abuse affecting councillors and the police role in addressing it.
- 4. Tailored risk assessments:** Consider the needs of individual councillors and proactively identify risks through dynamic and periodic risk assessments.
- 5. Prioritise councillor wellbeing:** Recognise and consider how the council can support councillor wellbeing and address the negative impacts of personal attacks and hurtful commentaries.

2.10 The research undertaken by the LGA to produce their report found clear evidence that abuse of politicians is on the rise across the board and that issues can arise and escalate very quickly. Therefore Members are asked to consider what issues may occur in the future Thurrock and consider any matters that may require further to action to respond to abuse from members of the public.

### **3. Issues, Options and Analysis of Options**

- 3.1 There are clear benefits for the Council in setting clear standards and for elected members and council employees to become familiar with the fundamental values underpinning the council's governance arrangements, this will equip elected members and council employees to act in line with ethical standards.
- 3.2 By not setting clear standards for elected members and council employees could lead to a greater risk of ethical standards not being adhered to

### **4. Reasons for Recommendation**

For the Committee to consider what action may be required to taken to ensure the higher standards of propriety relating to ethical standards. To consider what action may be required to help councillor and the council better navigate the challenges of abuse and intimidation of councillors.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 Not applicable.

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## **6. Impact on corporate policies, priorities, performance and community impact**

6.1 The integration of ethical values into Council policies, practices and ways of working will ensure that ethical values are woven into every aspect of how the Council operates is critical to good leadership and meeting the Council's corporate priorities.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Rosie Hurst**  
**Interim Finance Manager**

There are no financial implications directly arising for the recommendations set out in this report.

### **7.2 Legal**

Implications verified by: **Gina Clarke**  
**Governance Lawyer & Deputy Monitoring Officer**

The Council's standards regime complies requirements the Localism Act 2011. However, the Committee may consider what additional practical measures could be put in place to support councillors and employees to promote and maintain high ethical standards within the Council

### **7.3 Diversity and Equality**

Implications verified by: **Rebecca Lee**  
**Team Manager - Community Development and Equalities**  
**Adults, Housing and Health Directorate**

There are no specific diversity and equality implications arising from this report.

### **7.4 Risks**

N/a

### **7.5 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, or Impact on Looked After Children**

None

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8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):
- Open Letter from Lord Evans, Chair of the Committee on Standards in Public Life, to public sector leaders to prompt reflection and discussion on the importance of ethical leadership in the UK, dated 24 January 2023: [Open letter to public sector leaders on ethical leadership - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/open-letter-to-public-sector-leaders-on-ethical-leadership-24-jan-2023.pdf)
  - Committee on Standards in Public Life: 'Upholding Standards in Public Life', November 2021: [Upholding Standards in Public Life - Published Report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101111/upholding-standards-in-public-life-november-2021.pdf)
  - Debate Not Hate: Ending Abuse in Public Life for Councillors: [Debate Not Hate: Ending abuse in public life for councillors | Local Government Association](https://www.local.gov.uk/debate-not-hate)
9. **Appendices to the report**
- Committee on Standards in Public Life: 'Leading in Practice', January 2023: [Leading in Practice – A review by the Committee on Standards in Public Life \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/leading-in-practice-january-2023.pdf)

## Report Author

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Governance Lawyer  
Legal Services

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