

Report considered by the Overview &amp; Audit Committee – 11 November 2020

# Buckinghamshire & Milton Keynes Fire Authority



<b>MEETING</b>	Overview and Audit Committee
<b>DATE OF MEETING</b>	11 November 2020
<b>OFFICER</b>	Graham Britten, Director of Legal and Governance
<b>LEAD MEMBER</b>	Councillor Lesley Clarke OBE
<b>SUBJECT OF THE REPORT</b>	<b>Local Government Ethical Standards Best Practice Recommendations</b>
<b>EXECUTIVE SUMMARY</b>	<p>The purpose of this report is to highlight to Members the content of a letter published by the Committee on Standards in Public Life (CSPL) in July 2020 which was addressed to all local authorities in England (<b>Annex A</b>).</p> <p>The letter describes its purpose as to follow up the 15 best practice recommendations contained in the <a href="#">Review by the Committee on Standards in Public Life - Local Government Ethical Standards</a> ('the CSPL Report'). The CSPL Report published January 2019 "represent a benchmark for ethical practice, and which we expect any local authority to implement."</p> <p>An audit has been undertaken by officers to compare the Authority against these best practice recommendations. The audit and its findings are attached (<b>Annex B</b>); in light of which the recommendations below are presented to Members for consideration.</p> <p>The CSPL Report states that the implementation of these best practice recommendations would be reviewed in 2020.</p>
<b>ACTION</b>	Decision.
<b>RECOMMENDATIONS</b>	<p>That the Authority be recommended to:</p> <ol style="list-style-type: none"> <li>1. note the benchmarking report (Annex A) regarding the 15 Best Practice Recommendations in the CSPL's Local Government Ethical Standards Report;</li> <li>2. approve that: <ol style="list-style-type: none"> <li>a. the Code of Conduct is reviewed on an annual basis commencing 2021/22; and where possible taking into account the views of the public, community organisations, and neighbouring and appointing authorities;</li> </ol> </li> </ol>

	<p>b. in any review of the Code of Conduct:</p> <ul style="list-style-type: none"> <li>i. the outcomes of the LGA’s consultation on its draft Code of Conduct be taken into account;</li> <li>ii. the prohibition on ‘harassment’ be added to the prohibition of bullying;</li> <li>iii. definitions and examples of both bullying and of harassment be included; and</li> <li>iv. the requirement on Members to comply with any formal standards investigation be included.</li> </ul> <p>c. the ‘Procedure for the handling of allegations under the Code of Conduct against Members of the Buckinghamshire and Milton Keynes Fire Authority’ be amended to include a non-exhaustive list of public interest factors which will be taken into account at the filtering stage of a complaint.</p>
<b>RISK MANAGEMENT</b>	The recommendation will have no adverse effect on the Authority’s business.
<b>FINANCIAL IMPLICATIONS</b>	The best practice recommendations made by the Committee on Standards in Public Life are suggestions and are not compulsory. The recommendations can be accommodated within existing budgets.
<b>LEGAL IMPLICATIONS</b>	Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by Members and Co-Opted Members of the authority. Each local authority must publish a code of conduct.
<b>CONSISTENCY WITH THE PRINCIPLES OF THE DUTY TO COLLABORATE</b>	No direct impact. It is the responsibility of each local authority to comply/or not with these best practice recommendations.
<b>HEALTH AND SAFETY</b>	No adverse implications arising from the recommendations.
<b>EQUALITY AND DIVERSITY</b>	<p>The Authority’s objective is to embed Equality, Diversity and Inclusion (EDI) both internally and externally. The EDI objectives are set out and published against the Authority’s core values: Diversity; Service to the Community; Improvement and People.</p> <p>The Authority recognises that fairness and inclusion is fundamental to everything it does, to achieve its vision of making Buckinghamshire and Milton Keynes the</p>

	<p>safest areas in England in which to live, work and travel.</p> <p>By complying with these recommendations, it would support the Authority in fulfilling its obligations under the Equality Act 2010 including the Public Sector Equality Duty to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act; advance equality of opportunity between people who share a protected characteristic and those who do not; and also foster good relations between people who share a protected characteristic and those who do not.</p>
<b>USE OF RESOURCES</b>	If the recommendations are accepted, issues such as annual reviews of the Code of Conduct can be accommodated within existing resources.
<b>PROVENANCE SECTION &amp; BACKGROUND PAPERS</b>	<a href="#">Review by the Committee on Standards in Public Life - Local Government Ethical Standards</a>
<b>APPENDICES</b>	<p>Annex A – Letter from the CSPL, by email to Local Authorities in England July 2020.</p> <p>Annex B - Report on the Local Government Ethical Standards Best Practice Recommendations</p>
<b>TIME REQUIRED</b>	5 minutes.
<b>REPORT ORIGINATOR AND CONTACT</b>	<p>Katie Nellist</p> <p><a href="mailto:knellist@bucksfire.gov.uk">knellist@bucksfire.gov.uk</a></p> <p>07799 098948</p>