

Appendix A

Government statement

The government is committed to greater devolution, determined to fix the foundations of local government and build a better future for local politics.

Greater devolution relies on local authorities in which elected members embody the highest standards of conduct. The public rightly demand its representatives act in their best interests, and that those who do not meet the high standards of public office expected should be held to account and appropriately sanctioned.

The 'Strengthening the Standards and Conduct Framework for Local Authorities in England' consultation sought views on a whole system reform of the standards and conduct framework for local government. The proposed reforms consulted on reflected the government's ambition to introduce a clearer and consistently applied standards and conduct framework for local government in England.

The reforms aim to ensure misconduct is dealt with swiftly and fairly across the country in every type and tier of local government – from the smallest town or parish council to the largest regional mayoral authority. We want to ensure that local government is empowered, fully accountable and deserving of people's trust and confidence.

We want local and regional government in England to attract and retain the best possible talent, and for county, town and city halls across the country to promote fair and reasonable democratic discourse, without slipping into cultures which are toxic and intimidating. There will always be room for strongly held beliefs to be represented, tested and debated, with decency and respectful behaviours and conduct.

Of note amongst the consultation responses was testimony received from those who highlighted the personal distress persistent bullying and harassment can cause for elected members and officers alike, particularly as the current regime offers no real prospect of perpetrators being properly held to account.

In response, our reforms will put victims of elected member misconduct at the centre of the system by providing a right to appeal standards decisions and ensure that both complainants and respondents are supported throughout the process of code of conduct investigations. We also want to ensure that those complained about are given fair opportunity to make representations and that due process is in place throughout the course of complaints being considered.

Frustration with the lack of meaningful sanctions and safeguards, even when elected members are under police investigation or carry out repeated breaches, was also clearly apparent amongst respondents. For a standards regime to be fit for purpose it must provide both appropriate safeguards and sanctions.

I want to thank all the 2,092 respondents to this consultation. The results have clearly indicated there is widespread appetite for system reform and the steers we have received from respondents have shaped our decisions on the policy proposals this document confirms we will now be working to take forward.

In summary, we intend to legislate for a whole system reform of the current regime as set out in Localism Act 2011. The measures will include:

- *the introduction of a mandatory code of conduct, which will include a behavioural code, for all local authority types and tiers*
- *a requirement that all principal authorities convene formal standards committees, to include provisions on the constitution of standards committees to ensure objectivity, accountability and transparency*
- *the requirement that all principal authorities offer individual support during any investigation into code of conduct allegations to both the complainant and the councillor subject to the allegation*
- *the introduction at the authority level of a 'right for review' for both complainant and the subject elected member to have the case reassessed on grounds that will be set out in legislation*
- *powers for authorities to suspend elected members for a maximum of 6 months for serious code of conduct breaches, with the option to withhold allowances during suspension for the most serious breaches and introduce premises and facilities bans either in addition or as standalone sanctions*
- *in response to the most serious allegations involving police investigation, or where sentencing is pending, the introduction of powers to suspend elected members on an interim basis for an initial period of 3 months which, if extended, will require regular review*
- *a new disqualification criterion for any elected member subject to the maximum period of suspension more than once within 5 years*
- *the creation of a new national appeals function, to consider appeals from elected members to decisions to suspend them and/or withhold allowances, and for complainants if they consider their complaint was mishandled. Any appeal submitted will only be permitted after complainant or elected member has invoked their 'right for review' of the local standards committee decision has been invoked and that process is completed*

When this government took office, we pledged to reset the relationship with local authorities, and a key part of that commitment is to work creatively and collaboratively with all those with an interest in local government. We will continue to engage with the sector and stakeholders whilst we develop the detail of operationalising these proposals.

I know that most local elected members are public servants working hard to help shape and deliver excellent local public services. It is for them as much as council employees and the public that we are determined to deal with those who bring local government into disrepute. In recognition of how important these reforms are to building a better future for local politics, we intend to bring forward the necessary legislation as soon as parliamentary time allows.

Alison McGovern MP

Minister for Local Government and Homelessness