

Committee on Standards and Ethics in Public Life

List of best practice – Gap Analysis

Recommendation	Current situation	Actions
1. 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.	Neither bullying nor harassment are mentioned in the Member Code of Conduct	Discuss with Member Working group and consider adopting.
2. Councils should include provisions in their code of conduct requiring councillors to comply with any standards investigation, and prohibiting trivial or malicious allegations by councillors	Not included in current Member Code of Conduct	As above.
3. Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.	Not current practice	Propose the Audit and Governance Committee conducts an annual review of the Code of Conduct and takes a view on how to engage others to provide a view.
4. An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises	A webpage is published on the council's website and provides a link to the Code of Conduct. The Code is also published in the Constitution, also on the website.	No further action required.
5. Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV	The Members' gifts and hospitality register is maintained in hard copy format only. Updates are made immediately on receipt.	Decision to be taken on whether to publish the gifts and hospitality register.

6. Councils should publish a clear and straightforward public interest test against which allegations are filtered.	Not currently published	Consider developing public interest test to be developed and published in the Constitution
7. Local authorities should have access to at least two Independent Persons.	Only one Independent Person currently appointed.	Consider approaching Surrey districts and boroughs to explore sharing Independent Persons across authorities
8. 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.	This is set out in the arrangements for dealing with Member Conduct. This element is not included in the arrangements.	Consider amending the arrangements to allow the Independent Person to review and comment on allegations.
9. 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, the reasoning of the decision-maker, and any sanction applied	This is already the practice	No action required.
10. 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	A webpage is published on how to make a complaint against a councillor and how complaints are handled. Timescales are not set out for the process.	Review the guidance on arrangements for dealing with allegations of breaches of the Member Code of Conduct and add estimated timescales to the steps of the process
11. 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	N/A	N/A

the clerk in all but exceptional circumstances		
12. 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	N/A	N/A
13. 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	Not included in the guidance.	Review the procedure for dealing with breaches to make sure this provision is included.
14. 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 principles of openness, and publish their board agendas and minutes and annual reports in an accessible place.	Work currently ongoing to ensure the council's bodies comply with openness principles.	Monitor to make sure this is achieved.
15. Senior officers should meet regularly with political group leaders or group whips to discuss standards issues		Build this in to group and senior officer practices.

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