

**Update on Government Consultation ‘Strengthening the Standards and Conduct Framework for Local Authorities in England’.**

<b>Meeting:</b>	<b>Standards Committee</b>
<b>Date:</b>	<b>18<sup>th</sup> March 2026</b>
<b>Cabinet Member</b> (if applicable)	<b>N/A</b>
<b>Key Decision Eligible for Call In</b>	<b>No No</b>
<b>Purpose of Report</b>	
To brief the standards committee following the publication of the Government response on the ‘Strengthening the Standards and Conduct Framework for Local Authorities in England’ consultation.	
<b>Recommendations</b>	
<ul style="list-style-type: none"> <li>• That the report be noted by members</li> </ul>	
<b>Reasons for Recommendations</b>	
<ul style="list-style-type: none"> <li>• The report is for information only</li> </ul>	
<b>Resource Implications:</b>	
None	
<b>Date signed off by Executive Director &amp; name</b>	<b>Rachel Spencer-Henshall – 9<sup>th</sup> March</b>
<b>Is it also signed off by the Service Director for Finance?</b>	<b>Kevin Mulvaney – 10<sup>th</sup> March</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Samantha Lawton – 6<sup>th</sup> March</b>

**Electoral wards affected: All**

**Ward councillors consulted: None**

**Public or private: Public**

**Has GDPR been considered? Yes**

## **1. Executive Summary**

- 1.1 This report follows on from earlier news items reported to this committee, this consultation being a recurring item in the Standards Committee new report.
- 1.2 The Government has now published its full response to the consultation and this report will look at what the results were and what the response from central government is to those results.
- 1.3 Unless any future developments necessitate a full separate report, any updates will be given to committee as part of the Standards Committee news report.

## **2. Information required to take a decision**

### **2.1 Consultation Summary**

2.1.1 The Government response presents an overview, from the Minister, Alison McGovern, MP, of the purpose of the consultation exercise, before an introduction which summarises the particular questions that the consultation focused on.

2.1.2 The consultation had two principal 'headings':

#### **1. Strengthening the Standards and Conduct framework**

and

#### **2. Introducing the power of suspension with related safeguards**

### **2.2 Strengthening the Standards and Conduct framework**

2.2.1 The issues that the consultation concerned itself with under this heading were:

- mandatory minimum prescribed code of conduct
- Standards Committees
- publication of allegations and investigation outcomes
- requiring completion of investigations if an elected member stands down

- empowering individuals affected by councillor misconduct to come forward

### **2.2.2 Mandatory minimum prescribed code of conduct**

The consultation proposed the introduction of a mandatory code and the response noted that 94% of respondents were in favour of such a code.

The Government response is that there will be legislation to prescribe a mandatory code. This code will include a behavioural code, which will require members to co-operate with code of conduct investigations.

### **2.2.3 Standards Committees**

The consultation proposed that there should be a requirement for a local authority to have a Standards Committee and 91% of respondents agreed with this proposal.

Respondents were also asked if decisions on sanctions should be taken by the committee and 62% agreed with this proposal.

With regards to the publication of allegations of Code of Conduct breaches, respondent opinion was split, with 47% in favour of publishing all allegations, and 50% in favour of only publishing where a complaint is upheld.

The final question asked was whether an investigation should continue if the member on question were to stand down. 84% felt that it should continue.

The Government response is that legislation will be introduced that will require Local Authorities to have a Standards Committee and will also require the publication of the outcomes of all Code of Conduct investigations.

### **2.2.4 Empowering individuals affected by councillor misconduct to come forward**

The consultation asked a number of questions about respondents being the victim of poor member behaviours and noted that two recurrent themes emerged:

- making a complaint is pointless as there are no meaningful sanctions available
- fear that further poor behaviour would be directed personally towards them

The consultation also asked about the levels of support available to those raising complaints and to members complained of.

The Government response is that there will be recommendations for support being made available to those affected by the complaints process.

## **2.3 Introducing the power of suspension with related safeguards**

- 2.3.1 The consultation proposed the introduction of the power to suspend for up to 6 months and 87% of respondents were in agreement with this proposal.
- 2.3.2 60% of respondents felt that it should be a Standards Committee that agreed such a decision, with 27% feeling that the decision should be made by an independent body.
- 2.3.3 The Government response is that there will be legislation to provide a power to suspend for a maximum of 6 months, with an option to withhold allowances and access to facilities. Any such decisions will be reserved to a Standards Committee.
- 2.3.4 The consultation also proposed a power for an interim suspension to be imposed, typically where there might be an ongoing investigation of serious allegations, such as during a criminal investigation. The proposal was for a maximum of 3 months, with a power to extend on review.
- 2.3.5 79% of respondents agreed with this proposal.
- 2.3.6 The Government response is that there will be legislation to provide a power to impose interim suspension, but only where the matter alleged is subject to law enforcement.
- 2.3.7 The consultation sought views on proposals that members who are suspended more than once during a 5 year period should be disqualified and whether gross misconduct should trigger immediate disqualification.
- 2.3.8 With regards to the first proposal, 60% of respondents agreed, with 19% disagreeing.
- 2.3.9 The Government response compared this to the powers of the devolved nations, who do currently have the power to disqualify. There is an intention to introduce legislation to disqualify an elected member if they received the maximum suspension twice over a 5 year period.
- 2.3.10 The consultation sought views on any appeals process that suspended members would have access to, proposing a right to appeal a

suspension decision, with a 28 working day time limit on an appeal being heard.

- 2.3.11 86% of respondents agreed that there should be a right of appeal to any member subject to a decision to suspend them.
- 2.3.12 Respondents were also asked if there should be a right of appeal given to complainants if complaints were not investigated or not upheld. A small majority of respondents were in favour of this.
- 2.3.13 The Government response is that legislation will be introduced for appeals to be introduced, but notes that further consideration will be needed on how to best implement this.

### **3. Implications for the Council**

#### **3.1 Council Plan**

N/A

#### **3.2 Financial Implications**

N/A

#### **3.3 Legal Implications**

N/A

#### **3.4 Climate Change and Air Quality**

N/A

#### **3.5 Other (eg Risk, Integrated Impact Assessment or Human Resources)**

N/A

### **4. Consultation**

N/A

### **5. Engagement**

None

### **6. Options**

#### **6.1 Options Considered**

It is recommended that the report be noted.

## **6.2 Reasons for Recommended Option**

The report is an 'information-only' report.

## **7. Next steps and timelines**

The Monitoring Officer's team will continue to monitor progress and report back to this committee with any updates.

## **8. Contact officer**

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## **9. Background Papers and History of Decisions**

N/A

## **10. Appendices**

[Strengthening the standards and conduct framework for local authorities in England – consultation results and government response - GOV.UK](#)

## **11. Service Director responsible**

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