

CSPL – Best Practice Recommendations Action Plan

Appendix A

Best Practice Recommendation	Comment	Action Required
<p>Best practice 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.</p>	<p>Code of Conduct does not explicitly include this provision. Code does not include list of examples.</p>	<p>Will await the Government’s response to the recommendations on new model Code and Monitoring Officer to review and propose amendments as required.</p>
<p>Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.</p>	<p>Code of Conduct does not include these provisions.</p>	<p>As above.</p>
<p>Best practice 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.</p>	<p>There is currently no specific review period for the Code of Conduct. Code of Conduct last reviewed in 2012.</p>	<p>Process to be put in place to review Code on a regular basis and determine timescale for review pending the outcome of the Government’s response to the recommendations on the new model Code.</p>

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Best practice 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.	Code of Conduct is published on the Council's website and as part of the Constitution. There is a designated page on how to complain about a councillor.	No action required.
Best practice 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 register is updated as the Monitoring Officer is notified by councillors that they have been offered gifts or hospitality. These details are not currently published on the Council's website.	Process to be put in place to remind councillors to register gifts and hospitality received each quarter and publish these details against their personal details record on the Council's website.
Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.	Monitoring Officer Protocol already makes provision for this arrangement.	No action required.
Best practice 7: Local authorities should have access to at least two Independent Persons.	Huntingdonshire has access to a Lead and Deputy Independent Person.	No action required.

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<p>Best practice 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)</p>	<p>This is current practice. The Independent Person is consulted as part of an initial assessment of every Code of Conduct complaint submitted to the Council and any outcome of investigations.</p>	<p>No action required.</p>
<p>Best practice 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.</p>	<p>Monitoring Officer Protocol already makes provision for this arrangement.</p>	<p>No action required.</p>

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<p>Best practice 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.</p>	<p>Accessible guidance is already published on the Council's website and Monitoring Officer Protocol is available that explains the process and timescales for the handling of complaints.</p>	<p>No action required.</p>
<p>Best practice 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 the clerk in all but exceptional circumstances.</p>	<p>Different arrangements exist all for Town/Parish Councils in their Standing Orders. No power to impose this provision.</p>	<p>No action required.</p>
<p>Best practice 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.</p>	<p>Complaints have been investigated in accordance with the Monitoring Officer Protocol. There is budget for training and development and there is attendance on a regular basis by the Monitoring Officer and his Deputy.</p>	<p>No action required.</p>

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<p>Best practice 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.</p>	<p>Monitoring Officer is appointed by 3C Legal and covers Huntingdonshire, South Cambridgeshire and Cambridge City. Each authority has an appointed Deputy to deal with complaints where the Monitoring Officer has a conflict of interest. In most cases an investigation can be outsourced to an external investigator if necessary.</p>	<p>No action required.</p>
<p>Best practice 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 principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.</p>	<p>To raise as part of the Annual Governance Review procedure. Separate bodies are covered by their own statutory requirements in terms of reporting etc.</p>	<p>Refer recommendation to Head of Resources for consideration in the context of the Annual Governance Statement.</p>
<p>Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.</p>	<p>Ad-hoc meetings are scheduled with group leaders as and when required.</p>	<p>No action required.</p>