

For Publication

Bedfordshire Fire and Rescue Authority
Audit and Standards Committee
10 July 2019
Item No.12

REPORT AUTHOR: SECRETARY/MONITORING OFFICER

SUBJECT: REVIEW OF CODE OF CONDUCT AND ANNUAL REPORT ON STANDARDS

For further information on this Report contact: Nicky Upton
Democratic and Regulatory Services Supervisor
Tel No: 01234 845149

Background Papers: None

Implications (tick ✓):

LEGAL	✓	FINANCIAL	
HUMAN RESOURCES		EQUALITY IMPACT	
ENVIRONMENTAL		POLICY	
CORPORATE RISK	Known	OTHER (please specify)	
	New		

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To consider any relevant issues regarding ethical standards that have arisen in the last twelve months and to review the Authority's Code of Conduct.

RECOMMENDATION:

That:

1. the report be received
 2. no changes are required to the Authority's Code of Conduct at this time.
-

1 Local Complaints

- 1.1 During the last year no complaints have been received concerning Members of the Fire and Rescue Authority.

2. Report of the Committee on Standards in Public Life

- 2.1 In January 2019 the Committee on Standards in Public Life published a report on ethical standards in local government. The purpose of the review undertaken by the Committee that gave rise to the report was to ensure that the current framework that was put in place under the Localism Act 2011 was conducive to prompting and maintaining the standards expected by the public. The report includes a number of recommendations and a list of best practice. A copy of the Executive Summary is attached. The full report can be found on the government website using the following link: <https://www.gov.uk/government/publications/local-government-ethical-standards-report>.

- 2.2 The Committee identified a number of areas of concern including the fact that a minority of councillors engage in bullying or harassment, or other disruptive behaviour; they also identified the following risks in the sector. They consider that the current rules around conflicts of interest, gifts and hospitality are inadequate and the increased complexity of local government decision-making is putting governance under strain.

3 Appointment of Independent Persons

- 3.1 The Localism Act 2011 requires all local authorities, including Fire and Rescue Authorities, to appoint at least one independent person. The Authority must consult an independent person before any finding is made that a

Member has failed to comply with the Authority's Code of Conduct and before the Authority decides on any action to be taken in respect of that Member. The Authority may also consult an independent person at any other stage in the process of managing a standards complaint (eg when deciding whether to investigate the complaint).

- 3.2 The Fire Authority first appointed independent persons in September 2012 for a period of 4 years. At its meeting on 21 July 2016, the Authority approved the appointment of two new independent persons. These appointments were made jointly with Bedford Borough Council. In practice, as there have been no complaints in the last 12 months, it has yet not been necessary to consult these independent persons.
- 3.3 The terms of office of the current independent persons expire on 31 July 2020 and so it will be necessary to go through a recruitment process during the course of the year.
4. The Code of Conduct
 - 4.1 A copy of the Authority's existing Code of Conduct is attached as an appendix to this report. This Code of Conduct was adopted by the Authority in June 2012 and came into force on 1 July 2012 as required by the Localism Act 2011.
 - 4.2 The Code of Conduct must be consistent with the "Nolan" principles of standards in public life.
 - 4.3 The Authority's Code of Conduct has been in place for 7 years and the Committee is asked to consider whether any changes are needed.

JOHN ATKINSON
SECRETARY/MONITORING OFFICER